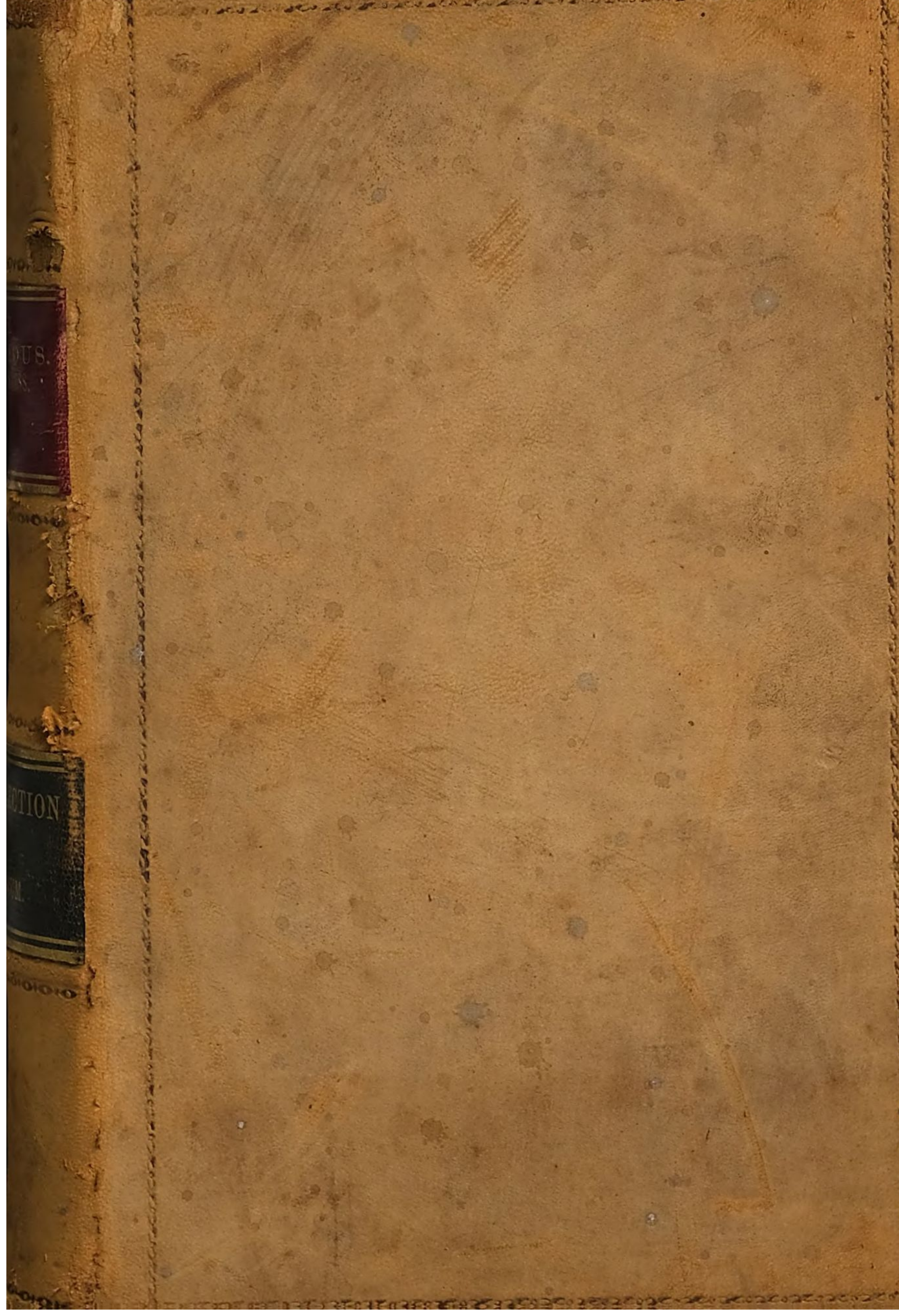




Am. B. 3040

Proceedings

(323)

INDEX

TO THE

MISCELLANEOUS DOCUMENTS

OF THE

HOUSE OF REPRESENTATIVES

FOR THE

FIRST SESSION OF THE FORTY-SIXTH CONGRESS,

1879.

IN 5 VOLUMES.

VOLUME III.—No. 14, Part 3.

WASHINGTON:
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CONTESTED ELECTION OF CURTIN vs. YOCUM.

P A P E R S

IN THE CASE OF

ANDREW G. CURTIN vs. SETH H. YOCUM.

TWENTIETH CONGRESSIONAL DISTRICT OF PENNSYLVANIA.

MAY 22, 1879.—Ordered to be printed.

DEPOSITION OF FELIX D. FOGLEMAN.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Felix D. Fogleman; my age is 27 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Where did you reside on the 5th of November last, and how long before that time have you lived there?—A. Benner Township, and I have lived there for about the last 20 years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which was assessed more than two months thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878, and for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

FELIX D. FOGLEMAN.

DEPOSITION OF CONRAD FOGLEMAN.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name, Conrad Fogleman; my age, 23 years, was 23 the 20th of June, 1876; my residence is Benner Township, Centre County, Pennsylvania.

Q. Did you reside in Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I lived in Benner Township at that time, and have lived there for the last 20 years except I lived in Half Moon Township for about eighteen months.

Q. When did you come back from Half Moon to live again in Benner Township?—A. About the 1st of October last.

Q. What were you doing in Half Moon Township?—A. I was working on the farm by the month, but I always made my home with my father in Benner Township.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did you pay State and county taxes?—A. George Gensaman.

Q. For what township was he collector for State and county taxes?—A. Half Moon Township.

Q. You lived in Half Moon Township did you?—A. Yes, sir.

Q. During what period of time did you live in Half Moon Township?—A. Fourteen months or one and a half years.

Q. What time did you go to Half Moon Township?—A. Some time in March, 1877.

Q. What time did you come back to Benner Township?—A. About the 1st of October, right after the fair.

Q. Were you down to the fair?—A. No, sir; I was not.

Q. About how many days after the fair did you come down?—A. I don't know. I think it was on Saturday; the fair closed on Friday and I came down Saturday.

Q. Did you have your washing and mending done where you worked in Half Moon Township, while you were there?—A. I had the last year at home and the year before at Half Moon.

Q. How often did you come to Benner Township to your father's the last year you worked in Half Moon?—A. I don't know how often I was at home, but I was at home every two weeks.

Q. For how long had you hired with Thomas Way in Half Moon Township?—A. I had hired for eight months. I worked eight months; then he hired me until spring of 1878.

Q. Who did you work for then?—A. I worked for the same men.

Q. For how long did you hire this time?—A. I hired for eight months; but I only worked seven months.

Q. When did your time for which you had hired for eight months commence?—A. It commenced the 1st of April.

Q. Did you lose any time while you were working for Mr. Way, and about how much?—A. I don't know how much I lost. If I had my book here I could soon tell you.

Q. Did you pay any State or county taxes to any other collector within two years previous to the election of November, 1878?—A. No, sir; I did not.

Q. Were you registered or assessed for Benner Township for 1878?—A. No, sir; I was not.

Q. What evidence did you furnish the board of Benner Township that you were a legal voter for that precinct?—A. I made affidavits.

Q. Where did you make this affidavit?—A. Here in Bellefonte.

Redirect examination by D. H. HASTINGS, Esq.:

Q. When were you married?—A. Last April, 1878.

Q. Where has your wife lived ever since you were married?—A. With my father in Benner Township.

Q. How often did you come home to your wife in Benner Township, while you were working in Half Moon Township?—A. Every two weeks and sometimes a little oftener.

Q. Did your wife do washing and mending for you at your home in Benner Township, during the time you were away working in Half Moon Township?—A. Yes, sir.

Q. Your wife living in Benner Township, did you not consider Benner Township your home?

(Council for contestant objects to the question, because it is too leading and in this case irrelevant.)

A. Yes, sir; I did consider Benner Township my home.

Recross-examination by W. C. HEINLE, Esq.:

Q. When did you and your wife go to housekeeping?—A. I don't think it's any of your business.

Q. Where did your wife live before you married her?—A. In Huntingdon County, Pennsylvania.

Q. When did your wife come from Huntingdon County to Benner Township?—A. In May, 1878.

Q. Have you and your wife kept house any place prior to the election held in November, 1878?—A. No, sir.

Q. Did you pay any boarding for your wife, or did she work for her boarding at your father's place?—A. I did not pay her boarding, but that has nothing to do with this.

CONRAD FOGLEMAN.

DEPOSITION OF JOHN FOGLEMAN.

Examination in chief by D. H. HASTINGS, Esq.:

Question. Are you the father of Conrad Fogleman?

(The counsel for contestee at the request of counsel for contestant states that the purpose for which this witness is recalled is to give evidence that Conrad Fogleman was a legal resident of Benner Township on November 5, 1878, and a legally qualified voter of that township at the time he voted.)

Counsel for contestant objects to the examination of this witness because Conrad Fogleman, the witness just called, is the best evidence of his qualifications as a voter; 2d, and that this witness is called to swear to facts that he does not know and that are not in existence.)

Answer. I am.

Q. When was your son Conrad Fogleman married?—A. He was married in April of 1878.

Q. Where have Conrad Fogleman and his wife made their home since they were married?—A. They have made their home at my place, in Benner Township.

Q. Where has your son been working since he was married?—A. He was working in Half Moon until the 1st of October, and in the fall he helped me put away my corn, and after that he went to Bald Eagle Valley to chop wood for McCoy & Linn (iron-works).

Q. During the time he was working in Half Moon, how often was he in the habit of coming home to Benner Township?—A. He came home about every two weeks.

Q. State whether or not he got mending done, and also washing at his home in Benner Township.—A. He did get some done there, but I don't know whether he got it all done there or not.

Q. Have they had any other home since they were married?—A. They have not.

Q. Have they ever kept house since they were married?—A. No, sir.

(Counsel for the contestant objects to the testimony of this witness because the testimony of Conrad Fogleman, the voter in question, is the best evidence; 2d, because the testimony of this witness is secondary, and in this case wholly irrelevant and untrue, as it contradicts the witness and voter in question, Conrad Fogleman, upon every material objection.)

JOHN FOGLEMAN.

DEPOSITION OF SAMUEL GLENN.

Examination by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Samuel Glenn; my age is 30 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of Benner Township at that time, and I have lived there for the last three years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. I have paid.

Q. Where were you born and raised?—A. Centre County, Pennsylvania.

Q. Did you vote at the election for Benner Township on the 5th of November last; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

SAMUEL GLENN.

DEPOSITION OF D. W. ROOP.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—A. My name, D. W. Roop; my age, twenty-two years on the 19th day of December, 1878; my residence is Benner Township, Centre County, Pennsylvania.

Q. Did you reside in Benner Township on the 5th of November last; and how long immediately before that time did you reside there?—A. Yes, sir; I did reside there on the 5th November last, and have lived there all my life.

Q. Did you pay a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir, I did; I paid my tax the day of the Granger picnic, in September, 1878.

Q. Did you vote at the election for Benner Township held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. Where did you get your ticket on the day of the election?—A. At W. F. Reynolds' bank.

Q. Did you read over the names on your ticket before you voted it?—A. I did.

Q. Are you sure that the name of Seth H. Yocum was on your ticket?—A. Yes, sir; I am.

D. W. ROOP.

DEPOSITION OF JAMES FANNING.

Examined by D. H. HASTINGS, Esq.:

Q. State your name, age, and residence.—Answer. My name is James Fanning; my age is about 30 years; my residence, Benner Township, Centre County, Pennsylvania.

Q. Did you reside in Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did reside there at that time, and have lived there for the last three years.

Q. Are you a naturalized citizen of the United States, and when were you naturalized?—A. I am a naturalized citizen, and was naturalized about twelve years.

Q. Did you pay a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. I did.

Q. Did you vote at the election for Benner Township held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Mr. Seth H. Yocum for Congress.

Cross-examined by W. HEINLE, Esq.:

Q. To whom did you pay your State and county taxes assessed for 1878?—A. I paid my tax to Thomas Purdue.

Q. When did you pay your tax to Thomas Purdue?—A. I paid it some time before the election of 1878 (November).

Q. How long before the November election, 1878, did you pay this tax to Purdue?—A. About two months.

Q. Have you a receipt from Purdue?—A. He gave me a receipt, but it got burned when my house burned down.

Q. When did he give you this receipt?—A. About two months before the election.

Q. When did you pay your tax to Stover?—A. I could not say; I have it in my tax-book.

Q. Didn't you pay this tax since the November election, 1878?—A. I don't remember.

Q. When did you pay your tax to Mr. Garbrick?—A. I don't remember, sir; I have it in my book.

Q. Can you tell about the time you paid this tax to Garbrick?—A. No, sir.

Y. Did you not pay your 1876 tax to Charles Smith some time in last December?—A. I don't know; I have got it in my book.

Q. Don't you know that you paid your tax to Uriah Stover since the election of November, 1878?—A. I do not know; I got it in my tax-receipt book.

Q. Didn't Amos Garbrick have to sue you for your tax of 1876 before Justice Smith, since the November election of 1878?—A. He sued me for some road tax.

Q. Was not your State and county tax included in the amount Amos Garbrick sued you for?—A. If I had my tax-book here I could tell you.

his
JAMES + FANNING.
mark,

Attest:

WM. E. IRWIN.

Adjourned until 8½ o'clock a. m., March 14, 1879.

Met as per adjournment at 8½ o'clock a. m.

D. H. Hastings, esq., appears as attorney for the contestee and W. C. Heinle, esq., appears as attorney for contestant.

DEPOSITION OF ROBERT GLENN.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Robert Glenn: my age is forty-four years; my residence is Benner Township, Centre County, Pennsylvania.

Q. When did you become a naturalized citizen of the United States?—A. In the year 1855.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of Benner Township on the 5th of November last, and I have lived in it ever since it has been a township, some twenty years.

Q. Did you pay a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I did.

Q. Did you vote at the election held for Benner Township on November 5, 1878; and if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay your State and county tax to Uriah Stover?—A. I could not exactly tell when, whether it was December, 1878, or January, 1879.

Q. When did you pay Mr. Purdue?—A. I have not paid him yet.

Q. On what day do you say you paid your 1876 taxes to Garbrick?—A. On the 20th of March, 1877.

ROBERT GLENN.

DEPOSITION OF JAMES ROWAN.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—A. My name is James Rowan; my age is 27 years almost; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of said township on the 5th of November, 1878, and have lived there all my life.

Q. Did you pay a State or county tax within two years, and more than one month before the 5th day of November, 1878, which had been assessed at least two months before that time?—A. I paid my State and county tax to Amos Garbrick on the 25th November, 1876.

Q. Did you vote at the election for Benner Township, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did Amos Garbrick give you that receipt?—A. He gave me the receipt on the day that I paid him, November 25, 1876.

Q. Do you remember where you paid him this tax?—A. Yes, sir; I paid him at Reynolds' Bank.

Q. Then you only know by the date of the receipt that you paid Amos

Garbrick your tax on the 25th of November, 1876?—A. When he went to write the receipt he said this was the 25th, and then he wrote it.

Q. Do you know whether this was before or after the Presidential election in 1876?—A. It was after.

Q. On what tax-receipt did you vote at the election in 1876?—A. I don't know if I had any or not; they didn't ask me.

Q. Did you vote on this tax-receipt dated November 25, 1876, at November election, 1878?—A. No; they did not ask me for a receipt at this last election.

Q. When did you pay your State and county taxes to Uriah Stover?—A. The first of February, 1879.

Q. Then you paid no other tax that would have entitled you to vote at the November election, 1878, excepting the one for which you have a receipt dated November 25, 1876?—A. No; I paid no other.

JAMES ROWAN.

DEPOSITION OF ABNER RIDER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Abner Rider; my age is 53 years; my residence Benner Township, Centre County, Pennsylvania.

Q. Did you live in Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live in said township on the 5th of November last, and have lived there for the last 25 years.

Q. Did you pay a State or county tax within two years and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. Yes, sir; I did.

Q. Did you vote at the election held in Benner Township on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and I could not read my ticket, and Lawyer Alexander gave it to me.

Q. Who did you intend to vote for Congress?—A. I intended to vote for Seth H. Yocum; I couldn't read the ticket.

Cross-examined by W. C. HEINLE, Esq.:

Q. Did you vote the ticket that Cyrus T. Alexander gave you?—A. Yes, sir.

Q. Did you tell Mr. Alexander that you wanted a Yocum ticket?—A. I just asked him for a Democratic ticket and he gave me one.

Q. Was not Cyrus T. Alexander the Democratic candidate for State senator?—A. Yes, sir.

Q. Then you are sure that you voted the ticket that Cyrus Alexander gave you?—A. Yes, sir.

his
ABNER + RIDER.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF JOHN M. BROWER.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is John M. Brower and my age is 45 years; my residence is in Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live in said township on the 5th of November, 1878, and have resided in the township since the year 1874.

Q. Did you pay a State or county tax within two years before November 5, 1878, and more than one month previous thereto, which had been assessed more than two months before that time?—A. Yes, sir; I paid my tax.

Q. To whom did you pay your tax?—A. To Thomas Purdue, collector.

Q. What is the date of the receipt?—A. October 3, 1878.

Q. State if you paid your tax before the day of the date of the receipt.—A. Yes, sir.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum.

Cross-examined by J. L. SPANGLER, Esq.:

Q. What time in the day you voted?—A. I think it was in the forenoon.

Q. From whom did you get the ticket?—A. I don't remember.

Q. Did anybody vote with you?—A. I went alone, I think.

Q. What is your politics?—A. Republican.

Q. Can you tell to what number you voted?—A. No, sir; I cannot.

Q. Where did you get the ticket that you voted?—A. I am unable to say where I got it.

Q. State whether you selected your own ticket or allowed somebody to do it for you.—A. I made up my own ticket.

Q. Whose name did you write on for Congress, if it was written?—A. It was printed; Seth H. Yocum.

Q. Are you sure that it was either written or printed on your ticket?—A. I am not certain whether it was written or printed. I am inclined to the opinion that it was printed.

Q. Would you know your ticket if you saw it now?—A. I cannot answer that question, whether I could or not.

Q. Do you know whether the name of either Yocum or Curtin was on your ticket at all?—A. Yes, sir; I think Seth H. Yocum's name was on the ticket.

Q. Do you swear positively that you voted for Congress?—A. That is the supposition of it; at least, I feel pretty certain I did.

Q. State whether you have examined your ticket, marked number 46, in the possession of Evan Blanchard, a commissioner taking testimony on the part of the contestee; and, if so, how did you vote for Congress?—A. I looked at the ticket. I can scarcely say. I believe there is no Congressman on that.

Redirect by D. H. HASTINGS, Esq.:

Q. Do you know of your own knowledge the number of the ticket you voted?—A. No, sir.

JNO. M. BROWER.

DEPOSITION OF B. F. LEITZEL.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is B. F. Leitzel; my age, 27 years; my residence, Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November

last, and how long immediately before that time did you live there?—A. I was a resident of said township on the 5th of November last, and have lived there since the spring of 1875.

Q. Did you pay a State or county tax within two years, and more than one month before November 5, 1878, which had been assessed more than two months prior thereto?—A. Yes, sir; I did.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum.

B. F. LEITZEL.

DEPOSITION OF BENJAMIN BODLE.

Examined by D. H. HASTINGS:

Question. State your age, name, and residence.—Answer. My name, Benjamin Bodle; my age, 40 years; my residence is in Benner Township, Centre County, Pennsylvania.

Q. Did you reside in Benner Township on the 5th of November last, and how long immediately before that time did you reside there?—A. I did reside in said township in November last, and have lived there for the last eight years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes; I paid Stover in 1878, at the January court.

Q. Did you vote at the election held in Benner Township on the 5th of November last; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

B. BODLE.

DEPOSITION OF HENRY LOWRY.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Henry Lowry; my age is twenty-eight years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live in said township on the 5th of November last, and have lived there all my life.

Q. Have you paid a State or county tax within two years and more than one month before the 5th day of November, 1878, and which was assessed more than two months prior thereto?—A. I did.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

HENRY LOWRY.

DEPOSITION OF J. B. ROAN.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is J. B. Roan; my age, thirty-six years; and my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A.

I did live in said township on the 5th of November, and have lived there continuously for the twelve years.

Q. Have you paid a State or county tax within two years and more than one month before the 5th day of November, 1878, and which had been assessed more than two months prior thereto?—A. I paid tax January, 1877.

Q. Did you vote at the election for Benner Township held November 5, 1878?—A. I did vote at that election.

Q. From whom did you get your ticket that you voted that day?—A. Geo. W. Jackson.

Cross-examined by W. C. HEINLE, Esq.:

Q. At what time during the day did you vote?—A. I think it was in the forenoon.

Q. Do you know for whom you voted for Congress?—A. I cannot say; I did not examine the ticket.

J. B. ROAN.

DEPOSITION OF WILLIAM TATE.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is William Tate; my age, 61 years; my residence, Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long before that time did you live there?—A. I was a resident of said township on the 5th of November last, and have lived there for the last twelve years.

Q. Have you paid a State or county tax within two years and more than one month before the 5th day of November last, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did you pay your State and county taxes?—A. To Uriah Stover and Thos. Purdue, collectors.

Q. When did you pay your taxes to Purdue?—A. I paid Purdue my taxes since that election.

Q. When did you pay your taxes to Uriah Stover?—A. In the year 1877.

WM. TATE.

DEPOSITION OF DAVID ROTHROCK.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is David Rothrock; my age, 47 years; my residence, Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long before that time did you live there?—A. I did live there on the 5th of November last, and have lived there about eighteen or nineteen months before that.

Q. Did you pay a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. I did.

Q. Did you vote at the election for Benner Township, held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE Esq.:

Q. To whom did you pay your State and county taxes?—A. To Uriah Stover.

Q. When did you pay Uriah Stover this tax?—A. On the latter part of the year 1877, or on the fore part of the year 1878.

Q. Do you know in what month during that time you paid these taxes?—A. I can't fix the month.

D. ROTHROCK.

DEPOSITION OF ANDREW G. TATE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Andrew G. Tate; my age 27 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live there at that time, and have lived there for the last twelve years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township on the 5th of November, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay your State and county taxes to Uriah Stover?—A. In the year 1877.

Q. In what month?—A. January 26, 1877.

Q. Where did you get your ticket that you voted November 5, 1878?—A. I got it from Wm. Poorman.

Q. Did you read over the names on your ticket before you voted it?—A. Yes, sir; I did.

Q. Was the name of Seth Yocum printed on your ticket for Congress?—A. It was printed on.

ANDREW G. TATE.

DEPOSITION OF GEOGE HASTINGER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is George Hassinger; my age, 25 years; my residence, Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of said township on the 5th of November last, and have lived there five years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, which was assessed more than two months prior thereto?—A. Yes, sir; I did.

Q. Did you vote at the election held for Benner Township, November 5, 1878; and if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay a State or county tax to Uriah Stover?—A. In 1877.

Q. In what month?—A. I can't just mind in what month I paid it.

Q. What time during the day did you vote?—A. I don't mind what time of the day it was.

Q. Where did you get your ticket?—A. I got it from William Close.

Q. Did you read over the names on your ticket?—A. I looked at them a little.

Q. Are you sure that you saw Yocum's name on the ticket that you voted?—A. Yes, sir.

Q. When did you look at your ticket?—A. I looked at it when I got it and put it in my pocket.

Q. Had you any other tickets in your pocket that day?—A. No, sir.

GEORGE HASSINGER.

Adjourned to meet at 1½ o'clock this afternoon.

Met as per adjournment.

D. H. Hastings, esq., appeared as attorney for contestee, and W. C. Heinle, esq., for contestant.

DEPOSITION OF JAMES STRONG.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is James Strong, my age twenty-six years, my residence Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I lived there on the 5th of November last, and have lived there about twenty-five years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. Yes, sir; I did.

Q. Did you vote at the election held on the 5th of November last; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. Who did you pay your State and county taxes to?—A. To Uriah Stover.

Q. When?—A. In 1877.

Q. In what month?—A. In September some time.

Q. Where did you get your ticket?—A. From Mr. Shivery.

Q. Did you read over the names on your ticket before you voted it?—A. Yes, sir; I did.

JAMES STRONG.

DEPOSITION OF JOHN H. KLINE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is John H. Kline, my age is twenty-five years, my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th day of November last, and how long immediately before that time did you live there?—

A. I was a resident at that time, and have lived there for the last eleven or twelve years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

JOHN H. KLINE.

DEPOSITION OF A. J. SHIVERY.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name A. J Shivery, my age fifty years, and my residence Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on 5th of November last, and how long immediately before that time did you reside there?—A. I was a resident of Benner Township at that time, and have lived there for the last twenty-two years past.

Q. Have you paid a State and county tax within two years, and more than one month before the 5th of November last, and which has been assessed two months prior thereto?—A. I did pay my tax.

Q. Did you vote at the election held for Benner Township November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

A. J. SHIVERY.

DEPOSITION OF FREDERICK HOUSER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Frederick Houser, my age 53 years, my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November, 1878, and how long immediately before that time did you reside there?—A. I was a resident of said township and have been for fifteen or twenty years, ever since it was a township.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election held for Benner Township on November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

FREDERICK ^{his} + HOUSER.
mark.

Attest:

WM. E. IRWIN.

B. F. LEITZELL recalled:

Q. Are you acquainted with William Myers, and, if so, where does he live and where has he lived for the last two years or more?

(Counsel for contestant objects to the examination of this witness he is called out of order, as he has been called before to testify to his qualifications, and his testimony with reference to qualification of any other voter than himself is merely secondary.)

A. I am acquainted with William Myers; he was born and raised in Benner Township and has lived there all his life.

Q. State his age as near as you can.—A. He is near about 24 years old.

Q. State whether or not his State or county tax has been paid within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto; also state if he had a receipt, and to whom, and by whom his taxes were paid.

(Counsel for contestant objects to the question because the witness is testifying things which he only knows from hearsay, and the tax-receipt being the best evidence of the paying of this taxes, and the testimony of that is merely secondary.)

A. Yes, sir; his State and county taxes has been paid, and he had a receipt, and they were paid to Thomas A. J. Purdue, collector, by myself.

Q. Did he vote at the election for Benner Township held November 5, 1878, and, if so, for whom did he vote for Congress?—A. He did vote at that election, and he says he voted for Seth H. Yocum for Congress.

Q. Did he tell you he voted for Seth H. Yocum?—A. Yes, sir; he did.

(Counsel for contestant refuse to cross-examine this witness because his testimony in this instance is not sufficient to prove the legality or illegality of the vote in question, and that the witness knows only from hearsay who this man voted for for the office of Congress, which declarations were not made under oath, and, therefore, irrelevant.)

Q. Are you acquainted with Edward J. Purdue?—A. Yes, sir.

Q. State whether or not you were with him on the 5th day of November last when he prepared his ballot, and whether you went with him to the polls when he voted.—A. Yes, sir; I was with him when he made up his ticket, and I was with him at the polls when he voted.

Q. Did you see the ticket that he voted, and had it Seth H. Yocum's name on for Congress?—A. I saw the ticket that he voted, and it had Seth H. Yocum's name on for Congress.

Cross-examination by W. C. HEINLE, Esq.:

Q. How long have you known Edward J. Purdue?—A. I was acquainted with him for about 10 years.

Q. Did you and Edward J. Purdue come together to the election in the morning?—A. Yes, sir; I came with him to the election.

Q. Where did you get your tickets?—A. At Seth H. Yocum's office.

Q. What time during the day did you vote?—A. It was near about dinner time.

Q. When did you look at Edward J. Purdue's ticket the last time before he voted it?—A. I saw him take it from the window-sill of Seth H. Yocum's office, and he took it in his hand and voted; he folded it when he first got it.

Q. Did he keep his ticket in his hand all the way up to the polls, or did he put it in his pocket at any time after he folded it?—A. I can say that he did not put it in his pocket.

Q. Do you know that he did not put it in his pocket?—A. He did not put it in his pocket.

Q. Did you see the ticket in his hand all the way going from Yocum's office to the polls?—A. He had one in his hand and he didn't throw it down, and I saw him put it in the window.

Q. Then you didn't see the ticket in his hand the entire time that you went to the polls?—A. I didn't see it all the time in his hand; no, sir.

Q. What candidate did Edward J. Purdue vote for for prothonotary?—
A. I can't answer that; I haven't got a very good memory on that.

Q. Whom did he vote for for the office of register?—A. I can't explain. I remember the outside of the ticket.

Q. What do you mean by the outside of the ticket?—A. Congress, the county ticket. I guess it was the State ticket that was folded on the outside.

Q. Did you see the inside of Edward J. Purdue's county ticket?—A. Yes, sir; I did.

Q. Whose name had he on his ticket for the office of recorder?—A. I can't explain that.

Q. Did you not say you saw his ticket?—A. Yes, sir.

Q. Why did you not take notice for whom he voted for the different offices on the county ticket?—A. Well, I don't keep much memory of the county ticket.

Redirect by D. H. HASTINGS, Esq.:

Q. Did Edward J. Purdue tell you after the election that he had voted for Seth H. Yocum for Congress?—A. Yes, sir; I heard him say a couple of times that he voted for Seth H. Yocum, after the election.

Recross-examination, by W. C. HEINLE, Esq.:

Q. How soon after the election did he tell you he voted for Yocum?—
A. A couple of days after the election.

Q. Was it after you had heard that Yocum was elected?—A. I can't say about that; it was a couple of days after the election.

B. F. LEITZEL.

DEPOSITION OF THOMAS G. PURDUE.

Examined by D. H. HASTINGS, Esq.:

Question. You are the same witness that was examined in this contest before Mr. Blanchard, the commissioner?—Answer. I am.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—

A. I was a resident of said township at that time, and have lived in what is now Benner Township for the last forty-eight years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months thereto?—A. I have.

Q. Did you vote at the election for Benner Township on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

Q. Are you the father of Edward J. Purdue?—A. I am.

Q. What is his age and where is he at the present time, if you know?—

A. He is going on his twenty-third year, and is in Lincoln County, Kansas; he went there from here on the 18th of February, 1879.

Q. State whether or not he paid a State or county tax in Benner Township within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto.—

A. He did.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did your son pay a State and county tax?—A. To myself.

Q. Did you give him a receipt?—A. I did.

Q. On what day did you give him this receipt?—A. On the 2d or 3d day of October.

Q. Was the receipt only dated on that day or was it given and dated on that day?—A. I gave it and dated on one of those days.

Q. Did he pay you his State and county taxes in money?—A. I was owing him the amount and over it, and I considered it just the same as though I gave him the money and he gave it to me.

Q. When did you charge your son in your account for the amount of his State and county taxes?—A. At that time when I gave him the receipt.

Q. Did you pay a State and county tax to Amos Garbrick?—A. I arranged it with Mr. Garbrick the week of the November court, 1876.

Q. Have you paid any State or county taxes to any one else 30 days before the November election and within two years prior thereto?—A. There was a difference between Stover and I and I would not cancel his tax because mine was more than Stover's.

Q. Then you have really not paid any State or county taxes, excepting to Amos Garbrick, 30 days before the November election, 1878, and within two years prior thereto, have you?—A. I have not.

THOS. G. PURDUE.

J. B. ROAN recalled:

Question. Are you acquainted with Daniel Powers?—Answer. Yes, sir.

Q. Was he a resident of Benner Township on the 5th of November last?—A. Yes, sir.

Q. How long before that time did he live in Benner Township?—A. About thirteen years, to the best of my knowledge.

Q. Were you with him at the polls on the 5th of November, 1878, at the election for Benner Township, and did you see him cast his ballot?—A. I was with him at the polls and saw him cast his ballot.

Q. Did you hand him the ticket?—A. I gave him his ticket.

Q. Was the name of Seth H. Yocum on that ticket?—A. It was, and was what he asked for.

Q. Did he tell you before he voted that he was going to vote for Seth H. Yocum?—A. He told me he wanted to vote for Seth H. Yocum on the Greenback ticket.

Q. Did he tell you after he voted that he had cast his ballot for Seth H. Yocum for Congress?—A. He said he didn't vote for Curtin.

Cross-examined by W. C. HEINLE, Esq.:

Q. Do you know whether Daniel Powers paid State or county tax thirty days before the November election, 1878, and within two years prior thereto?—A. I can't tell without examining my books. I paid them, but I cannot tell the exact time. It may be within a year and not outside of twenty months.

Q. You do say, then, that Daniel Powers paid a State or county tax within two years, and thirty days before the November election last?—A. No, not State and county tax; I meant road and poor tax that I had against him.

Q. When did Daniel Powers ask you for a Yocum ticket?—A. He asked me the day before the election; in the first place, he said he could not read and wanted a neighbor to give him his ticket.

Q. Did you give him his ticket?—A. I did.

Q. How far away from him were you when he voted?—A. Well, about three or four feet when I gave him the ticket.

Q. What did he say to you the first time you saw him after the election with reference to voting for Congress?—A. Nothing. It was some time after the excitement had raised that he said he had not voted for Curtin anyhow.

Q. What is Daniel Powers's politics, Democrat or Republican?—A. Democrat generally.

Q. Were there on the day of the election any Democratic tickets that had no name for Congress printed on?—A. I did not see any.

Q. Do you know whether there were any?—A. I can't tell you positively; there was a great many mixed tickets.

Q. Do you know of your own knowledge that Daniel Powers voted for Congress at all?—A. To the best of my knowledge he did.

J. B. ROAN.

Adjourned to meet at 8½ o'clock a. m. March 15, 1879.

Met as per adjournment. D. H. Hastings, esq., appears as counsel for contestee; and W. C. Heinle, esq., as counsel for contestant.

DEPOSITION OF JOHN HOLDERMAN.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is John Holderman; my age, I was born in 1822; my residence is in Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last; and how long immediately before that time did you live there?—A. I was a resident at that time, and have lived there for the last eighteen years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th day of November last, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election held for Benner Township on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

his
JOHN + HOLDERMAN.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF O. P. HASSINGER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is O. P. Hassinger; my age, fifty years; my residence is Spring Township.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of that township, and had lived there about fourteen years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th of November, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did you pay your State and county tax?—A. Amos Garbrick and Thomas Purdue.

Q. When did you pay Amos Garbrick your State and county taxes?—A. About a year next May.

Q. Have you a receipt from Amos Garbrick?—A. I have not.

Q. When did you pay your taxes to Mr. Purdue?—A. Some time in February, 1879.

Q. Did you ever pay Uriah Stover any tax?—A. I did.

Q. When did you pay Uriah Stover?—A. Jack Williams always paid them for me, but I don't remember what time it was.

Q. When did Jack Williams tell you he paid your tax to Stover?—A. When we settled; I think it was in February, 1878.

O. P. HASSINGER.

DEPOSITION OF JOHN WORTS.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is John Worts; my age, sixty-six years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last; and how long immediately before that time did you live there?—

A. I was a resident of said township, and have lived there ever since 1862.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. I did; the last tax I paid was to Uriah Stover in the fall of 1877.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, esq.:

Q. Where did you get your ticket that you voted on the day of the election, November, 1878?—A. I got my tickets from Joseph Blair.

Q. Did you read over the names on your ticket before you voted it?—A. Yes, sir; I did.

Q. Did you see Yocum's name on your ticket?—A. I did.

Q. When did you pay State and county tax to Amos Garbrick?—A. That was the year before I paid Stover.

Q. Did you pay Garbrick before the election of 1876?—A. Yes, sir.

JOHN WORTS.

DEPOSITION OF A. D. SWARTZ.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name, A. D. Swartz; my age is 38 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I was a resident of said township and have lived there for the last eight years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. Yes, sir; I voted at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did you pay your State and county taxes?—A. I paid it to a clerk in Mr. Stitzer's employ.

Q. Have you the receipt?—A. I have.

Q. Whose receipt is it?—A. It's from the clerk that I paid the money to, H. Y. Stitzer.

Q. Did you pay State or county taxes to any one else thirty days before the election of 1878, and within two years before that time?—A. I am not positive about any other. I think I paid to Garbrick within two years.

Q. Do you know whether H. Y. Stitzer paid this money to the tax collector of Benner Township thirty days before the November election, 1878?—A. Mr. Stover told me he got the money, but what time I do not know.

Q. Was it not since the November election, 1878, that Stover told you he got your taxes from Stitzer?—A. I don't recollect whether it was since or before.

Q. Where did Stover tell you that he got this money from Stitzer?—A. I think it was in Bellefonte I met him.

Q. When did you get this receipt from Stitzer?—A. I got it the day I paid the money, August 20, 1878.

Q. Does H. Y. Stitzer do any of your business?—A. He done that for me; that's all I know he ever done for me.

Q. Was H. Y. Stitzer a tax collector for Benner Township?—A. I think not. We have material enough in our own township to do that.

A. D. SWARTZ.

DEPOSITION OF JOHN F. MARKEL.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is John F. Markle; my age is 52 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—

A. I was a resident of said township and have lived there for the last fourteen years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at said election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay your State and county taxes to Uriah Stover?—A. I can't tell exactly what time; it was in the fore part of last summer.

JOHN F. MARKEL.

DEPOSITION OF CHARLES WITMER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name

is Charles Witmer; my age is, I was born in 1823; my residence is in Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live in that township at that time, and have lived there for the last seven years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th November, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I did. I don't owe a cent of State or county taxes.

Q. Did you vote at the election for Benner Township held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay Mr. Stover your State and county tax?—A. I generally pay them at January court.

Q. Was it this last January court, or January, 1878?—A. About January, 1878.

CHARLES WITMER.

DEPOSITION OF WILLIAM RHOADS.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is William Rhoads; my age is 38 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November, 1878, and how long immediately before that time did you live there?—A. I did live there at that time and have lived there for the last two years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th of November, 1878, and which was assessed more than two months prior thereto?—A. I did.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and voted for Seth H. Yocum for Congress.

Cross-examined by G. R. BARRETT, Jr., Esq.:

Q. To whom did you pay a State or county tax, and when?—A. To Uriah Stover early in the fall of 1877, and to Purdue in November, 1878.

Q. Are you sure you paid Uriah Stover your tax in 1877?—A. I did.

Q. Of whom did you get your ticket on the day of the November election, 1878?—A. E. C. Himes.

Q. Did you read your ticket carefully before you voted it?—A. I did.

Q. Was Seth H. Yocum's name on the ticket you voted for Congress?—A. Yes, sir.

WM. RHOADS.

DEPOSITION OF WILLIAM B. ECKLEY.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is William B. Eckley. My age is forty-eight years. My residence is in Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last; and how long immediately before that time did you live there?—

A. I did live in said township in November last, and have lived there for the last forty years.

Q. To whom did you pay a State or county tax within two years past?—

A. Amos Garbrick and Thomas G. Purdue, collectors. I paid my taxes to Garbrick March 9, 1878, and to Purdue on the 4th October, 1878.

Q. Did you pay Garbrick with a check?—A. I did.

Q. Did you take a receipt from Purdue; and if you did, give the date?—A. I did take a receipt, and the date is October 4, 1878.

Q. Did you vote at the election for Benner Township held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

WM. B. ECKLEY.

DEPOSITION OF JAMES P. ROAN.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is James P. Roan; my age, fifty-four years. My residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last, and how long immediately before that time did you live there?—A. I did live there at that time, and have lived there thirty-nine years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th day of November last, and which was assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. To whom did you pay your State and county taxes?—A. To Uriah Stover, collector.

Q. When did you pay Mr. Stover?—A. First of September, 1878.

Q. Did you pay any State or county taxes to Mr. Purdue, the collector in 1878?—A. No, sir; I have not yet.

Q. When did you pay your State and county taxes to Amos Garbrick, collector for 1876?—A. I can't recollect that exactly; I think it was in 1877.

Q. Did you not pay Amos Garbrick your State and county taxes before the election of 1876?—A. I don't recollect what time I paid him.

Q. What time during the day of November 5 last did you vote?—A. I think between eleven and twelve o'clock.

Q. Where did you get your ticket?—A. It was lying on the table. I don't know who brought it in.

Q. Did you read over the names on your ticket before you voted it?—A. Yes, sir; I did.

Q. Who did you vote for for the office of register?—A. I consider it's none of your business.

Q. For whom did you vote for prothonotary?—A. No answer to such questions.

Q. Do you know what names were on your county ticket for the different offices on said ticket?—A. Yes, sir; I do.

Q. Who was on your ticket for the office of recorder?—A. No answers to such questions.

Q. Did you look at your ticket so that you can swear who you voted for?—A. Yes, sir; of course I did.

JAMES P. ROAN.

DEPOSITION OF LEWIS SUNDAY.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Lewis Sunday. My age is thirty-five years. My residence is Benner Township, Centre County, Pennsylvania.

Q. Were you a resident of Benner Township on the 5th of November last; and how long immediately before that time did you live there?—

A. I was a resident of Benner Township at that time, and have lived there for the last four years.

Q. When did you pay your State and county tax to Uriah Stover, collector?—A. I paid it on the 22d day of December, 1877.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election and for Seth H. Yocum for Congress.

his
LEWIS × SUNDAY.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF CHARLES O. WITMER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Charles O. Witmer; I am twenty-one years old, going on twenty-two years; I was twenty-one years of age on the 5th day of November, 1878; my residence is in Benner Township, Centre County, Pennsylvania, and I have been living there for the last seven years.

Q. Did you vote on age at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote on age at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. Did you have the proper papers, as required by law, to show the election board your age and residence?—A. Yes, sir.

Q. Before whom did you swear to these papers?—A. Before the election board.

Q. Had you any other citizen of Benner Township sign his name to an affidavit with you?—A. Yes, sir; my father was along, but he signed no papers; the board did not ask him to do that.

C. O. WITMER.

DEPOSITION OF W. W. WITMER.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—A. My name is W. W. Witmer; my age is twenty-three years; my residence is Benner Township, Centre County, Pennsylvania.

Q. How long have you been a resident of Benner Township?—A. For the last seven years.

Q. Have you paid a State or county tax within two years and more

than one month before the 5th of November last, and which had been assessed at least two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election and for Seth H. Yocum for Congress.

W. W. WITMER.

DEPOSITION OF GABRIEL FIKE.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Gabriel Fike; my age is forty-six years, and my residence is Benner Township, Centre County, Pennsylvania, and I have lived there continually for the last thirteen years.

Q. Did you pay a State or county tax within two years or more than one month before November 5, 1878, which had been assessed at least two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. When did you pay your State and county taxes to Uriah Stover?—A. I paid it in the spring of 1878.

Q. What time during the day of November 5, 1878, did you vote?—A. In the afternoon.

Q. Where did you get your ticket?—A. I got it in Reynolds' Bank.

Q. From whom?—A. I got it myself off the counter.

Q. Was it a Democratic ticket?—A. That's for me to know and for you to find out.

Q. Did you read over the names on your ticket?—A. Of course I read over them.

Q. Who did you vote for for sheriff?—A. I don't think I need answer that.

Q. Do you know who you voted for for sheriff?—A. For Spangler.

Q. When did you look at your ticket last before you voted it?—A. Just when I took it off the counter; I folded it up and took it to the polls and voted it.

Q. Had you any other tickets in your possession on that day?—A. No, sir; I had not.

GABRIEL FIKE.

Adjourned to meet at 1.30 o'clock this p. m.

Met as per adjournment.

D. H. Hastings, esq., appears as counsel for contestee, and W. C. Heinle, esq., as counsel for contestant.

DEPOSITION OF HENRY J. TRESSLER.

Examined by D. H. HASTINGS, Esq.:

Question. Are you acquainted with George W. Tressler?—Answer. Yes, sir; I am. I have known him for about twenty years; he was an apprentice to me at the shoemaker trade.

Q. How old was George W. Tressler on the 5th day of November last?—A. He was twenty-one years past.

Q. How long had he been a resident of Benner Township immediately

before November 5, 1878?—A. Four months; before that he had been away about two weeks harvesting; he had his home with me for three years in Benner Township.

Q. Did he vote at the election for Benner Township held November 5, 1878?—A. Yes, sir; he did.

Q. Who gave him the ticket that he voted?—A. I gave it to him.

Q. Did you see him vote the ticket that you gave to him?—A. Yes, sir.

Q. Was the name of Seth H. Yocum on that ticket for the office of Congress?—A. Yes, sir; it was.

Q. Where did you give him the ticket?—A. At the court-house where he voted.

Q. When you gave him the ticket did he vote it immediately?—A. Yes, sir; he did.

Cross-examined by W. C. HEINLE, Esq.:

Q. Do you know whether George W. Tressler paid any State or county taxes?—A. No, sir; he did not.

Q. Did he make out the proper papers as required by law to vote on age and present them to the board before he voted?—A. No, sir; he was not called on for any papers; he swore to his age.

Q. Where and before whom did he swear that he was of age?—A. He swore before the election-board.

Q. Who administered the oath?—A. I think it was Mr. Searson.

Q. Where were you when the oath was administered?—A. I was right with him.

Q. Did George W. Tressler vote at the window of the election-room?—A. Yes, sir; he did.

Q. Who did you get the tickets from?—A. I don't know who gave me the tickets—some one here in the borough.

Q. At what particular place did you hand him this ticket spoken of?—A. At the court-house, when we were handy at the window.

Q. Did you hand him this ticket before he took his oath before the election-board?—A. Yes, sir; I gave him the ticket before he took the oath.

Q. Where did he put the ticket you gave him when you went before the election-board?—A. He kept it.

Q. Do you know whether he kept it in his hand or whether he put it in his pocket while the oath was administered to him?—A. I don't.

Q. Was the ticket you gave to him folded or did he fold it himself?—A. I folded it for him.

Q. Did he open his ticket and show it to you after you came out of the room and before he voted it?—A. I asked him to show me the ticket, and he did.

Q. Where did he show you his ticket?—A. Right by the window, before he voted it.

Q. Did he open or unfold his ticket so that you could see the names on it for the different offices?—A. Yes, sir.

Q. How far away from him were you when he voted?—A. I don't know how many feet, but I was close up with him up to the window.

Q. Did you see this ticket in his hand all the time after you say he showed it to you until he handed it in at the window?—A. Yes, sir.

Q. How did he hold it?—A. He held it in his hand.

Q. How much of this ticket did you see when he had it in his hand?—A. I seen no more than the one side of it, the top part of it.

Q. Do you know whether George W. Tressler had any other tickets

in his possession at that time?—A. Well, I think he had a couple more of the same kind.

Q. Do you know whether he had any tickets of any other kind?—A. He hadn't at that time.

Q. How do you know he hadn't?—A. I didn't see any one giving him any.

Q. Did you and he come to town together?—A. We did, in the buggy.

Q. Where did you stop?—A. Stopped here in town on the street down here; I don't mind where.

Q. What time in the day did you vote?—A. In the forenoon.

Q. Did you and he stay together all the time until you both had voted?—A. No, sir.

Q. Then he could of had other tickets in his possession and you not know it, could he not?—A. He might of had, but I don't think he had.

Q. Could he not have voted a ticket if he had it folded and ready to vote, other than the one you gave him, without you knowing it?—A. Well, I think he could of done so, but he didn't.

H. J. TRESSLER.

DEPOSITION OF WILLIAM HOY.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is William Hoy; my age is 36 years; my residence is Benner Township, Centre County, Pennsylvania, and I have lived there continuously for the last eight or ten years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th November, 1878, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election and for Seth H. Yocum for Congress.

WILLIAM HOY.

DEPOSITION OF GEORGE G. HASTINGS.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence?—Answer. My name is George G. Hastings; my age is thirty-one years, almost; my residence is Benner Township, Centre County, Pennsylvania, and I have lived there continuously for the last six years.

Q. Did you pay a State or county tax within two years and more than one month before the 5th day of November, 1878, and which had been assessed two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township on the 5th day of November, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election and for Seth H. Yocum for Congress.

GEO. G. HASTINGS.

DEPOSITION OF WILLIAM WITMER.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is William Witmer; my age is fifty-seven years and my residence is Ben-

ner Township, Centre County, Pennsylvania, and I have lived there continuously for the last eighteen years.

Q. Have you paid a State or county tax within two years and more than one month before the 5th day of November, 1878, and which had been assessed two months prior thereto?—A. Yes, sir, I have.

Q. Did you vote at the election held for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

WM. WITMER.

DEPOSITION OF IRA E. LONGWELL.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Ira E. Longwell; my age thirty-one years; my residence Benner Township, Centre County, Pennsylvania. I have lived there continuously for eleven years last past.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

IRA E. LONGWELL.

DEPOSITION OF JACOB D. WAGNER.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name, Jacob D. Wagner; my age, twenty-four years; my residence, Benner Township, Centre County, Pennsylvania, and have lived there continuously for the last three years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th of November, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

J. D. WAGNER.

DEPOSITION OF B. F. THOMPSON.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name, B. F. Thompson; my age is thirty-one years; my residence is Benner Township, Centre County, Pennsylvania, and I have lived there for the last year, having moved there from the adjoining township of Patton.

Q. Have you paid a State and county tax within two years, and more than one month before the 5th day of November, 1878, and which had been assessed two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

FRANK THOMPSON.

DEPOSITION OF DAVID NEESE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is David Neese; my age is about fifty-one years; my residence is Benner Township, Centre County, Pennsylvania, and have been living there continuously for the last seven years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th day of November last, 1878, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examination by W. C. HEINLE, Esq.:

Q. Where did you get your ticket on the day of the election?—A. I got it at different places. I got the first one at Harper's store, and got stickers at Wagner's store, and at Yocum's office we finished it.

Q. Did you vote the ticket you got at Harper's store?—A. Some.

Q. What part of it did you vote?—A. I can't tell you what all I had on it.

DAVID NEESE.

Adjourned to meet at 8.30 o'clock a. m., Monday, March 17, A. D. 1879.

Met, as per adjournment, Monday, March 17, A. D. 1879, at 8.30 o'clock a. m.

D. H. Hastings appears as attorney on the part of the contestee, and W. C. Heinle, esq., as attorney for contestant.

DEPOSITION OF GEORGE W. LAMBERT.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name George W. Lambert; my age, twenty-nine years; my residence is Benner Township, Centre County, Pennsylvania, and have lived there continuously for the last thirteen years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

GEORGE W. LAMBERT.

DEPOSITION OF POTTER TATE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Potter Tate; my age, thirty-three years; my residence, Benner Township, Centre County, Pennsylvania, and have lived there continuously for the last seven years.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th day of November, 1878, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Townsnip held November

5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. What time during the day did you vote?—A. I can't remember positively what time.

Q. Was it in the forenoon or in the afternoon?—A. I can't remember.

Q. Where did you get your ticket?—A. I can't answer that.

Q. Did you read over the names on your ticket before you voted it?—A. I did.

Q. Who was on your ticket for prothonotary?—A. It don't make any difference who was on.

Q. Do you know who was on?—A. I knew at that time.

Q. Do you know yet who was on?—A. I don't know as I can tell you.

Q. Do you know who was on your ticket for register?—A. It don't make any difference who was on my ticket.

Q. Do you know who was on your ticket for recorder?—A. It's no difference in this case.

Q. You stated that you didn't know when you voted or where you got your ticket. How do you know that you voted for Yocum?—A. I read my ticket before I voted it.

Q. What reason have you for saying you know you voted for Yocum, when you don't remember the names on your ticket for the rest of the offices for which you voted?—A. I was careful enough to see that I had that man's name all right, and I suppose I could name some more of them if I was so minded.

Q. Did you ever tell any one that Yocum was the only man you were interested for?—A. I never did.

Q. Then you had the same interest in all the names on your ticket that you had for Yocum, had you not?—A. I don't know as that makes any difference.

POTTER TATE.

DEPOSITION OF JAMES WILLIAMS.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name, James M. Williams; my age is 45 years; and my residence, Benner Township, Centre County, Pennsylvania, and have lived there for the last year and half, having removed there from the adjoining township of College, Centre County.

Q. Have you paid a State or county tax within two years, and more than one month before the 5th November, 1878, and which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

JAMES M. WILLIAMS.

Adjourned until 1 o'clock this p. m.

Met as per adjournment.

D. H. Hastings, esq., appears as attorney for the contestee, and W. C. Heinle, esq., as attorney for contestant.

DEPOSITION OF JOHN DALE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is John Dale; my age, 50 years; and my residence is Benner Township,

Centre County, Pennsylvania, and have lived there continuously for the last 25 years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Benner Township, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I voted at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE, Esq.:

Q. What time in the day did you come to town to vote?—A. I think it was in the morning.

Q. Where did you get your ticket?—A. I think I got it at Harper's store.

Q. Did you put a sticker on your ticket anywhere, or did you scratch the name of any candidate?—A. Only one; that was J. C. Harper.

Q. Are the Harpers that compose the firm of Harper Brothers Democrats or Republicans?—A. Democrats.

JOHN DALE.

DEPOSITION OF MARTIN DALE.

Examined by D. H. HASTINGS, Esq.:

Question. State your name, age, and residence.—Answer. My name is Martin Dale; I was 21 years of age on the 20th day of May, 1878; my residence is Benner Township, Centre County, Pennsylvania, and I have lived there continuously all my life.

Q. Did you vote on age at the election for Benner Township, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote on age at that election, and for Seth H. Yocum for Congress.

Cross-examined by GEORGE R. BARRETT, Jr., Esq.:

Q. When were you born?—A. May 20, 1857.

Q. Did you sign and swear to a partly written and partly printed affidavit of your age when you offered to vote at the election, 1878?—A. I did not swear.

Q. Did you make an oral affidavit to your age before the election-board?—A. They called me in the room but did not swear me.

Q. Then you were not sworn at all as to your age?—A. No, sir.

Redirect examination by D. H. HASTINGS:

Q. Was your father with you when you voted?—A. Yes, sir.

Q. Did your father go into the election room with you?—A. Yes, sir.

Q. Was your father questioned as to your age?—A. Yes, sir.

Q. Did the election board require you to make any written or printed affidavit?—A. They did not.

Recross-examination by GEO. R. BARRETT, Jr.:

Q. Then all the proof the election board required of your being of sufficient age was the unsworn statement of your father?—A. Yes, sir.

MARTIN DALE.

Adjourned until 3½ o'clock p. m., March 17, 1879.

Met as per adjournment.

Adjourned to meet at Philipsburg, Centre County, March 20, 1879.

D. H. Hastings and Jno. G. Love, esqs., appear as counsel for the contestee, and J. L. Spangler and Geo. R. Barrett, jr., esqs., appear as counsel for the contestant.

Met as per adjournment of Monday, March 17, 1879, at 1 o'clock p. m.

DEPOSITION OF BENJAMIN JONES.

Examined by J. G. LOVE, Esq.:

Question. State your age and residence.—Answer. My age is 55 years; and I reside in the borough of Philipsburg, Centre County, Pennsylvania.

Q. About how long have you resided in Philipsburg?—A. Nineteen years.

Q. State what position you held on the election board for the election held in the borough of Philipsburg held on the 5th of November last?—A. I was judge of the election.

Q. Were the election board sworn on the morning of the election before opening the polls, and, if so, by whom?—A. They were sworn by Thomas M. Crisman, justice of the peace.

Q. About what time in the morning were the polls opened?—A. A little after seven o'clock; it was not long after seven.

Q. Who composed the election board who held the election?—A. James Test and Henry Southard, inspectors, and J. H. Wagoner and John S. Gray, clerks, and Albert Owens and J. J. Lingle, overseers.

Q. What was the politics of James Test, John S. Gray, Albert Owen, and J. J. Lingle?—A. I have always understood them to be Democrats. I don't know how they voted.

Q. Have they co-operated with and been identified with the Democratic party?—A. To the best of my knowledge they always have.

Q. What inspector received the ballots at the window that day?—A. James Test.

Q. When he received the ballot what did he do with it?—A. He handed it over to the other inspector, who numbered them, and Test put them in the box.

Q. Did Mr. Test announce the name of the voter each time from whom he received the ballot?—A. Yes.

Q. Did you have a register of voters for the borough of Philipsburg present in the room while you were conducting the election?—A. No, sir.

Q. Was there any register of voters furnished the election board by the county commissioners either on the morning of the election or prior thereto?—A. No, sir.

Q. Was there any objection made to the presence of the overseers of that election in the election room?—A. No, sir; not particularly. When the polls opened we intended to keep the room clear. Mr. Owens was in the room when the polls opened. I told Mr. Owens that I guessed we would have to use everybody alike and would have to ask him to get out. He said he had authority to be in. I asked him to show it, and he did, and I said nothing more.

Q. Was there anything said about both the overseers being Democrats, and, if so, what?—A. There was some of them objected to it because they were both Democrats, and some said Mr. Lingle was a Green-backer.

Q. Was there any person interfered or prevented them exercising their rights or duties as overseers at that election?—A. No, sir; I think not.

Q. Were the members of the election board well acquainted with all the voters who voted at that election?—A. I think they was, principally. There were some that I was not personally acquainted with, but I knew they lived here in town.

Q. Were there any persons voted at that election whose right to vote was challenged?—A. There was some challenged.

Q. What did the election board require of every voter who voted at that election?—A. They were all required to show a tax-receipt or be sworn to it, as to the payment of their taxes.

Q. Were there any persons voted at that election who were not registered that you know of?—A. I don't know that there was.

Q. When a person's right to vote was challenged, what proofs were required by the board of his right to vote?—A. He was qualified as to his right; sworn and examined as to his qualifications.

Q. Do you remember whether or not the vote of Reuben Freeman was challenged that day?—A. It was.

Q. Who questioned him as to his right to vote?—A. Mr. Owens done the most of it.

Q. Was he examined more than once that day as to his right to vote before his vote was received?—A. He was.

Q. Was Mr. Owens present when he was examined the second time?—A. He was.

Q. Did Reuben Freeman bring any other persons with him as witnesses as to his qualifications to vote?—A. He did; Elijah Only and his father.

Q. Were they examined as to Reuben's right to vote, and, if so, by whom?—A. By Mr. Owens and some of the board; they were examined.

Q. After the examination of Mr. Only and Reuben's father, was his vote received?—A. It was.

Q. Was Mr. Owen present when the election board received Reuben Freeman's vote?—A. I think so; we put the vote in right after the examination. Mr. Owens was present at the examination.

Q. For what office were the votes polled at that election that were polled for Seth H. Yocum?—A. For Congress.

Q. For whom did you vote for Congress at that election?—A. I voted for Seth H. Yocum for Congress.

Q. Have you paid a State or county tax within two years and more than one month before the election held on the 5th of November last, which was assessed two months prior thereto?—A. Yes, sir; I have.

Cross-examined by J. L. SPANGLER, Esq :

Q. Who swore the members of the election board on November 5, 1878?—A. To the best of my knowledge, it was Thomas M. Crissman. He swore me I know.

Q. Who was Thomas M. Crissman?—A. He was a justice of the peace.

Q. Was the minority inspector present at the organization of the board?—A. He was the last coming, and there was no tickets taken until he came.

Q. Who received the tickets at the window?—A. Mr. Test received all the tickets, except while he was eating his dinner. I took in the tickets while he was eating, probably four or five.

Q. Did you see a register tacked on the door of the school-house in which you were holding the election?—A. I believe I did not see it; if I did, I didn't take any notice to it. Some of them mentioned in the room that there was an old register on the outside of the house; they said it was of no use—some of the board—and Mr. Owen said it was of no use.

Q. Did you use any register at all?—A. No, sir.

Q. Who brought the election blanks for the board to the school-house on the morning of the election?—A. I took them there.

Q. Where did you get them from?—A. They were sent from Bellefonte.

Q. What did you take to the school-house that morning for the use of the board?—A. I believe it was all the election papers, all that was necessary to hold the election, except the register list.

Q. Why did you not use the register at the school-house?—A. Because we thought it wasn't of any use.

Q. Did you use a list of voters at all at that election?—A. No, sir; I think not.

Q. How many votes were cast at the election held November 5, 1878?—A. Between three and four hundred.

Q. State how many of these were registered?—A. I don't know.

Q. State whether you held that election without reference to any registry?—A. Yes, sir; we didn't refer to any.

Q. Was any person challenged for the reason that his name was not upon the registry, during that day?—A. Not that I know of.

Q. Was any person challenged for non-payment of taxes?—A. I don't remember of any. There was challenging done.

Q. Upon what grounds were these challenges made?—A. In regard to their right to vote.

Q. What allegations were made against their right to vote?—A. I can hardly mind, only to Freeman's and Hemphill's; I challenged Hemphill's to see where he did live.

Q. Did the board accept the vote of Hemphill?—A. Yes, they accepted it.

Q. State whether he made proof of his right to vote?—A. He didn't make any proof outside of himself; he was qualified as to his residence.

Q. State whether Hemphill lived in the township or borough at that time.—A. He swore he had his home in the borough.

Q. How long has Mr. Hemphill resided in the borough of Philipsburg?—A. I suppose he has been here ten or twelve years.

Q. Has he always voted in the borough?—A. To the best of my knowledge he has. I have been on the board several times, and he has always voted when I have been on the board.

Q. With whom does he make his home in the borough?—A. Well, he said it was with his daughter.

Q. State for what reason Reuben Freeman's vote was challenged?—A. About the same that Hemphill's was. He wasn't living in the borough.

Q. Who is Reuben Freeman?—A. He is a darkey here in town.

Q. How many days had he been in the borough prior to the election held November, 1878?—A. I don't know; he was working here all the time, and he was boarding with his sister over in Clearfield County.

Redirect examination by J. G. LOVE, esq.:

Q. When did you first learn that Albert Owen and J. J. Lingle were appointed overseers of the election held November last, 1878?—A. On the morning of the election.

Q. Were they sworn?—A. I think not. I did not see them sworn.

Q. You have stated in your cross-examination that Mr. Test, the minority inspector, was the last member of the board getting to the polls; had the rest of the board been sworn before he got there?—A. Yes; I think they had.

Q. What light had the election-board in the room in which they held the election after it grew dark on the evening of the election?—A. We had two coal-oil lamps; one was at the window, the other on the table; they both sat on the table, but the end was up against the window-sill.

Q. Did the one sit at the window at which the ballots were received?—A. It did.

Q. Were there any votes received by the board at that election, after dark, from unknown persons?—A. Not to the best of my knowledge. We could see their faces as they came to vote; there was a big wood fire outside.

Q. You have stated in your cross-examination that Mr. Hemphill has been living here some ten or twelve years; has he always lived where he was living last fall at the time of the election?—A. No, sir; he did not.

Q. With whom, or in whose house was he living last fall at the time of the election?—A. He has a shanty across the railroad; I don't know whether he sleeps there or not.

Q. Was the election honestly and legally held so far as you know?—A. I believe it was.

Q. What, if anything, did you hear Mr. Lingle, one of the overseers, say concerning the manner in which the election was held?

(Counsel for contestant objects to the question, because it calls for hearsay testimony.)

A. Mr. Lingle, after the polls closed, I told him that we was going to keep him there all night. Mr. Lingle said that he had been at a good many elections, and that this was as fair an election as ever he had been at.

Recross-examination by J. L. SPANGLER :

Q. Was Mr. Lingle there during the entire day?—A. No, sir; he was away for his dinner and supper. I think he was away twice, and am not positive whether he was there after supper or not.

Re-redirect examination by J. G. LOVE, Esq. :

Q. Was Mr. Lingle in the election-room at or about the time the polls closed on the day of the election?—A. I feel very positive that he was.

BENJAMIN JONES.

DEPOSITION OF HENRY SOUTHARD.

Examined by J. G. LOVE, Esq. :

Question. State your age and residence.—Answer. My age is 49 years; my residence, Philipsburg Borough, Centre County, Pennsylvania.

Q. How long have you been a resident of the borough of Philipsburg?—A. At least sixteen years.

Q. What position did you hold on the election board at the election for the borough of Philipsburg, held on the 5th of November last?—A. I was majority inspector.

Q. State who composed the members of that election board.—A. Benjamin Jones was judge; James Test, minority inspector; John S. Gray, clerk; John H. Wagoner, clerk; J. J. Lingle and Albert Owen were the overseers.

Q. What was the politics of Albert Owen, J. J. Lingle, James Test, and John S. Gray?—A. I always supposed them to be Democrats. I never saw their ballot, and don't know how they voted.

Q. With what political party have they always acted and been identified?—A. With Democratic party, as far as I have known them.

Q. Were all the members of the election board sworn on the morning of the election before the polls were opened; and if so, by whom?—A. They were all sworn but the overseers, by Squire Crissman.

Q. Were the overseers sworn?—A. They were not, to my recollection.

Q. What duties did you perform as majority inspector in holding the election?—A. I numbered the ballots.

Q. Did the election board have a register of voters for the borough of Philipsburg for the conduct of that election?—A. They had not.

Q. Was any furnished them by the county commissioner?—A. They did not that I know of.

Q. Were the voters who voted at that election generally well known to the members of the election board?—A. They were not to me; there were a great many of them that I didn't know.

Q. What proof was required by the board from voters at that election as to the payment of taxes?—A. They were required to produce a receipt or make oath.

Q. Were all persons that voted at that election required to do so?—A. Yes, sir; without any exception.

Q. When a person's right to vote was challenged, what proof of his qualifications was required?—A. There was challenges made on different grounds. They were called in and sworn and examined as to their qualifications.

Q. Was there any interference on the part of the board with the overseers of that election in the discharge of their rights or duties?—A. I think not.

Q. When voters were challenged and brought into the election-room for examination, who generally conducted the examination on the part of the Democrats?—A. Albert Owen did the most of it.

Q. Do you remember whether Albert Owen took part in the examination of Reuben Freeman as to his right to vote?—A. He did.

Q. Was Reuben examined more than once that day, as to his right to vote that day, by the election board?—A. Yes, sir; he was.

Q. Was Mr. Owen present at both examinations?—A. I will not be certain, but I think not.

Q. Who put the tickets into the ballot-box after they were numbered?—A. I laid the tickets on the box and Mr. Test pushed them in.

Q. At what time after the polls closed did you commence counting off the vote?—A. As soon as we could arrange the tables.

Q. Will you state the manner in which the vote was counted?—A. I took them out of the boxes, unfolded them and read them, handed them to Mr. Jones; he strung them a part of the time, Mr. Test the balance of the time.

Q. When you read the tickets what did the clerks do?—A. They tallied them.

Q. For what office were the votes polled that were polled for Seth H. Yocum at that election?—A. For Congress.

Q. On the evening, after dark, what light did you have in the election room?—A. Two coal-oil lamps.

Q. Where were they placed?—A. On the table; one, I think, upon the top of the ballot-box.

Q. How near to the window at which the ballots were taken in was one of the lamps placed?—A. Not over three feet, I suppose.

Q. Was there any light or fire outside of the building where the polls were held?—A. There was.

Q. In proving the qualifications of voters at that election did or did not the board use any printed or partly printed affidavits?—A. I think they did.

Q. Whose clerk was J. H. Wagner?—A. He was mine.

Q. Did he do anything on the day of the election to interfere either with the presence or the rights of the overseers at that election?—A. Not to amount to anything.

Q. Was that election, so far as you know, honestly and fairly conducted?—A. It was.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Q. Have you paid a State or county tax within two years and more than one month before the election held on the 5th of November last, which was assessed more than two months prior thereto?—A. I had.

Cross-examined by J. L. SPANGLER, Esq.:

Q. Were the members of the board all present when you were sworn on the morning of the election?—A. I think the minority inspector was not present.

Q. Did you take any votes before he came in?—A. We did not.

Q. Who swore the minority inspector when he came?—A. Squire Crissman, I think.

Q. What time in the morning was he sworn?—A. I suppose near quarter past seven.

Q. At what time was the board sworn?—A. After seven.

Q. Did the minority inspector receive all the ballots at the window?—A. He did not.

Q. Who received ballots at the window besides the minority inspector?—A. The judge.

Q. About how many ballots did the judge receive at the window?—A. He took the ballots while the minority inspector took dinner.

Q. What part did you take in this election?—A. I numbered the ballots.

Q. Who assigned you to that duty, if anybody?—A. I don't know that anybody did.

Q. Who assigned the duty of receiving the ballots at the window to the minority inspector?—A. I don't know that anyone did.

Q. Did you use a register?—A. We had none.

Q. What was said about the use of a register at the time the board organized in the morning?—A. There was inquiry made for it; none could be found.

Q. Was any search made for a register?—A. All the blanks were presented there that commissioners had sent, I understood.

Q. Do you know whether the commissioners sent a register or not?—A. I think not; I understood the constable to say not.

Q. Did you examine the register that was hanging in the building in which you held the election?—A. I did not.

Q. Was there one there?—A. Not that I am aware of.

Q. You stated in your examination-in-chief that the board had taken partly printed and partly written affidavits from the voters, did you not?—A. I did.

Q. State how many.—A. I could not do it; I have no idea how many.

Q. State what class of voters made these affidavits.—A. Men who were voting on age; I don't remember of any others.

Q. How many votes were cast at the election of November of 1878?—A. I don't remember; over three hundred.

Q. How many of that number voted on age?—A. Two I remember of. I don't know whether there was any others or not.

Q. How many voted on naturalization papers, if any?—A. There was three or four, at least.

Q. What proof did the board require of the right of a naturalized citizen to vote?—A. To produce his papers, unless the board had known him to be a voter for five consecutive years.

Q. Did the board require an affidavit, partly written and partly printed, from such naturalized citizens not registered, so far as you know, but claiming a right to vote?—A. We did not; they presented their tax receipt; we required that from every one.

Q. Did the board require such naturalized citizens to state under oath when and where they were born?—A. They did not.

Q. Did the board require such naturalized citizens to state under oath when and in what court they were naturalized?—A. They did not.

Q. Did the board require such naturalized citizens to state under oath that they were citizens of the State of Pennsylvania and had been for one month citizens of the United States?—A. I think not.

Q. Did the board require such naturalized citizens to state under oath that they had resided in the State of Pennsylvania for one year and in the borough of Philipsburg for two months immediately preceding said election and that they had not removed into the borough of Philipsburg for the purpose of voting therein?—A. Not to my recollection.

Q. Did the board require a tax-receipt for the payment of the taxes of such naturalized citizens within two years preceding said election which was assessed at least two months and paid at least one month before said election?—A. We required that from every voter.

Q. In case such naturalized citizen had no tax-receipt, did or did not the board require him to state under oath when the tax was assessed, where it was assessed, when and where and to whom the tax was paid?—A. We did not make such inquiries as that.

Q. In the absence of a register, did the board require the voter to state under oath when and where he was born?—A. No; I think not, unless he was voting on age.

Q. Did the board require an affidavit partly written and partly printed setting forth that the voter was a citizen of the United States for one month and of the commonwealth of Pennsylvania, that he resided in this State for one year immediately preceding said election and that he had resided in the borough of Philipsburg at least two months preceding said election, that he had not removed into the district for the purpose of voting, that he had paid a State or county tax within two years which was assessed two months and paid one month before the election, stating further, when and where the tax was assessed, and to whom the tax was paid?—A. I could not say; I don't know how those affidavits were worded.

Q. Did you take any affidavits setting forth the facts as above stated, and if so, how many?—A. There were required to sign an affidavit, but I could not say how many.

Q. What kind of an affidavit did the board require in the case of a non-registered voter?—A. We put him under oath, asked him the question whether he had paid a State or county tax within two years which had been assessed two months previously to the election.

Q. Did the board ask such a voter for any other information than what you have just stated?—A. I don't remember of any.

Q. Where was the voter sworn, and by whom?—A. In the room, in the presence of the board, by the judge.

Q. Have you stated all that either the judge or the other members of the board required from such unregistered voter or voters?

(Counsel for contestee objects to the question because it assumes, as a matter of fact, that non-registered persons voted at that election, of which there has been no evidence or proof.)

A. That's all that I remember being asked.

Q. Did the board require, in addition to the oath of the voter himself,

the testimony of another qualified voter of the district, stating that the voter who claimed a right to vote was well known to the affiant, and that he had resided two months in the borough of Philipsburg preceding such election?—A. I don't remember.

Adjourned until 7 o'clock this p. m.

Met as per adjournment this p. m.

J. G. Love and D. H. Hastings, esq., appear as counsel for contestee, and J. L. Spangler, esq., as counsel for contestant.

Cross-examination of HENRY SOUTHARD continued:

Q. How many challenges were made on the election day in November, 1878?—A. Four or five; can't say positive.

Q. Who conducted the examinations?—A. The overseers and the inspectors both.

Q. What part did the judge take in such examinations?—A. He administered the oath.

Q. What part did the inspectors take?—A. They questioned concerning their right to vote.

Q. How was a decision reached?—A. By mutual agreement.

Q. With how many of the three hundred voters and upwards who voted at that election have you a personal acquaintance?—A. I suppose I would be acquainted with two-thirds of them at least.

Q. How many ballots were cast after dark?—A. I could not say; there were some.

Q. Who received these ballots from the voters from the window?—A. Minority inspector.

Q. Were you present at the sealing of the ballot-box at the close of the count?—A. I was.

Q. State how the box was sealed?—A. It was tied with red tape; the tape was sealed in three or four places with sealing-wax.

Q. State whether you placed the signatures of the election officers on paper and fastened on the outside of the box?—A. I don't remember of that being done.

Q. Who took charge of the box?—A. The judge.

Q. State how many affidavits, partly written and partly printed, the board took from voters that day other than those which they took from persons voting on age?—A. I cannot say.

Q. Can you mention any?—A. I am not positive of any.

Redirect examination by J. G. LOVE:

Q. Were there any non-registered person, either naturalized or native-born, voted at that election that you know of?—A. We could not tell anything about that. We had no registered list, and there were none voted that I know of. We suppose that all who voted were registered.

Q. You stated in your cross-examination that you thought that there were some three or four persons who voted on naturalization papers. Can you state the names of any persons who so voted?—A. Michael Carey and, I think, Daniel Ryan.

Q. You stated in your cross-examination when a voter was called and examined in relation to the payment of his tax that he was asked whether he had paid a State or county tax within two years that was assessed at least two months before the election. Was he also asked what length of time before the election he paid his tax?

(Counsel for contestant objects to the question, because it is preceded by a statement from counsel in which the counsel testifies instead of the witness.)

A. I believe not, not that I remember of.

Q. If it would appear from the examination that the voter had paid his tax less than one month before the election would the board receive his vote?—A. I would not, and the board did not; nearly every man that voted said he had a receipt at home, if he did not have it with him; some said they could not find it.

Q. Did the election board receive votes from any persons at that election who did not fully satisfy them on examination, either by tax receipt or under oath, that they had paid a State or county tax within two years and one month before the election which was assessed at least two months prior thereto except those who voted on age?—A. No; I think not.

Recross-examination by J. L. SPANGLER:

Q. In your examination of voters for non-payment of taxes state whether the board would ask when the taxes were paid?—A. No.

Q. Did the board ask when and where the taxes were assessed.

(Counsel for contestee objects to the question, because it is a mere repetition of the cross-examination previously made of the witness.)

A. The question invariably asked was, did you pay a State or county tax within two years and had been assessed two months prior to the election.

Q. Was this all the information that the board required from voters?—

A. That was all the information we thought necessary; we supposed that was equivalent to a receipt.

Q. State whether this course was pursued with all voters who did not have a tax receipt?—A. It was invariably.

Q. Can you tell how many of the three hundred voters and upwards were not registered?—A. We had no registered list, and couldn't say anything about that; we suppose that all that voted were registered. They presented their tax receipt or were put under oath that they had paid their tax.

Q. You required no other proof to entitle a voter to his vote than what you have stated in your answer to questions already asked, did you or did you not?—A. None that I can remember of.

HENRY SOUTHARD.

DEPOSITION OF JOHN H. WAGONER.

Sworn and examined by D. H. HASTINGS:

Question. State your name, age, and residence?—Answer. My name is John H. Wagoner; my age, forty-one years; my occupation, lumberman; my residence, Philipsburg Borough, Centre County, Pa.

Q. Were you a resident of Philipsburg Borough on the 5th of November last, and how long immediately preceding that time did you live there?—A. I was a resident of Philipsburg Borough at that time and have lived here since November, 1877, excepting eighteen months before that; I have been a resident for the last twenty years.

Q. Have you paid a State or county tax within two years and more than one month prior to November 5, 1878, and which had been assessed at least two months before that time?—A. I have.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election and for Seth H. Yocum for Congress.

Q. Were you a member of the election board of Philipsburg Borough, at the election held on the 5th of November last, and, if so, what posi-

tion did you occupy?—A. I was a member of that election board and was clerk to Henry Southard, one of the inspectors.

Q. Were you sworn as a member of the board, and, if so, by whom?—

A. I was sworn, and by Thomas M. Crissman, justice of the peace.

Q. Were the other members of the election board sworn, and by whom?—A. They were all sworn, and by Thos. M. Crissman.

Q. Were all the members of the board present at the time you were sworn?—A. All present except James Test, the minority inspector.

Q. State whether or not all the other members of the board were sworn before the arrival of the minority inspector?—A. They were.

Q. Was there a registry-list supplied the election board for that election?—A. There was not.

Q. State, if you know, whose duty it was to supply the election board with the proper registry-list.

(Counsel for contestant objects to the question, because it asks the witness to give a legal construction of the law in reference to the duties of public officers, and further, the witness being a clerk to one of the inspectors, the law does not make it the duty of public officers to furnish the election papers to any member of the board except the judge.)

A. I am not a lawyer and have never read law, but I have read the election laws carefully, and know it is the duty, so laid down in the law, of the commissioners of the county to furnish each election board with a full and complete registry list.

Q. What duties did you perform as clerk at that election?—A. I was clerk; the duties I performed were to keep register of the votes as they were polled. I numbered them, as they were polled, on the margin. I also made out the papers for those who voted on age; and at the close of the election I filled out the blanks.

Q. Who received the tickets from the voters at the window?—A. James Test, the minority inspector, excepting at meal-time, when Benjamin Jones, the judge, took his place.

Q. What did the minority inspector do with the ballot when he received it?—A. He would ask for the voter's tax-receipt, would examine the receipt, pass the receipt to Henry Southard, the other inspector; if all right, he would announce the name, and pass the ballot to Henry Southard, who placed the numbers on the ballot; after being numbered, Southard would place the State and judiciary and county ticket on the lid of their proper boxes; then James Test, minority inspector, would shove them off into the box.

Q. What other persons besides the regular election officers took part in that election?—A. Two Democratic lawyers, Albert Owens and J. J. Lingle.

Q. In what capacity did they act at that election?—A. Overseers, or supervisors, as you may term it.

Q. What authority did they furnish the board for acting as overseers or supervisors?

(Counsel for contestant objects to the question because the petition of sundry citizens of Philipsburg Borough to the court of common pleas of Centre County, together with a decree thereon, has been offered in evidence, and is the best evidence of the authority under which they acted as overseers of the election in November, 1878.)

A. They had an instrument of writing from the court, setting forth Albert Owens and J. J. Lingle appointed to oversee the election in Philipsburg Borough, signed J. H. O., or J. A. O., I cannot say which; it was not the name in full.

Q. Were these two overseers sworn before they entered upon their

duties as overseers?—A. If they were, it was not done in the presence of the election board.

Q. Was there any registry list about the election room, and, if so, why was it not used by the board?—A. There was a registry list tacked up at the school-house door where the election was held. I suggested that we would take that registry list. Jackson Gorton, constable, was instructed to go out and take it down. He found it defaced and mutilated and torn; came back into the room and stated as above, when J. J. Lingle or James Test, or perhaps both, went out with him and examined the same, came back and reported to the board that it was no good; could not use it; it was defaced. Albert Owens spoke up and said it did not matter; we could get along without it, or something to that effect.

Q. State whether or not any challenges were made during the day.—A. There was some challenges made.

Q. Give the number of persons that were challenged as near as you can, and for what causes they were challenged.—A. I suppose there were twenty-five or thirty challenges made during the day; the causes were non-residence and non-payment of taxes.

Q. By whom were these challenges mostly made?—A. J. N. Casanova, C. G. Herlinger, and on the election board by Albert Owens; there were other challenges made during the day, but they were the men that did the most of it.

Q. State if you know the politics of the persons you have just named.—A. I know them to be avowed Democrats, dyed in the wool.

Q. When a voter was challenged, state where he was taken to, whether he was sworn, and what investigation was made of his qualifications as a voter.—A. He was brought into the election room, sworn by the judge, Benjamin Jones. He was questioned by the inspectors touching his right to vote; if a Republican, he was questioned very closely by Albert Owens upon all his rights to vote; if a Democrat, the overseers, Albert Owens and J. J. Lingle, were satisfied with the questions asked by the inspectors or judge, which was not very rigid.

Q. What investigation was made of voters who did not have tax receipts with them?—A. They were brought into the room and sworn, asked the usual questions whether they had paid a State or county tax that had been assessed within two years, a resident of the borough sixty days previous to said election, and paid a tax thirty days previous to the same.

Q. State whether or not any persons were permitted to vote who had not furnished proof that they had paid a State or county tax within two years and more than one month before the day of election and which had been assessed at least two months previous thereto?—A. No, sir; not one.

Q. What proof did you require from persons voting on age?—A. They were brought into the room and sworn that they were between the ages of twenty-one and twenty-two years. Some few had witnesses, all voting on age; the proper blanks were filled out and signed and those blanks were all returned with the election papers to Bellefonte.

Q. Give the name or names of any person or persons who voted on age at that election who did not satisfy the board of their legal qualifications.—A. There was none, I believe; the majority voting on age were known by the board from boyhood up.

Q. State whether or not the members of the election board treated the overseers you have named in a proper and respectful manner.—A. They were treated very respectfully, very courteously; had all the rights of any of the sworn officers of the board, and examined all wit-

nesses and receipts more particularly than did the sworn officers of the board, and tried to usurp authority.

Q. How many persons voted at that election, if you remember, and what proportion of them are you acquainted and know to be legally qualified electors?—A. Three hundred and forty odd votes were polled; I know the majority of them, and I would say nearly all of them, and would say further that I have voted for years with a majority of them at this poll, and the way that I know the majority of these men as legal voters, have been for years an outside or window man at the election.

Q. Please state what time in the morning the overseers took their place with the election board, whether or not they remained with the board throughout the day, and what time they took their departure.—A. The election board was organized ready for business about $\frac{1}{4}$ of eight o'clock or thereabouts; they presented their credentials from the court; they remained there until the polls closed at 7 o'clock p. m. with the exception of the time they were at their meals, and as soon as the polls closed they left and did not return to see the count.

Q. State whether or not the overseers were present when Reuben Freeman offered his vote.—A. They were present when he offered his vote; when he came the first time to vote it was challenged, and was sent to get proof of certain things he was qualified to; in the afternoon he brought his witnesses, Elijah Only and Philip Freeman; they were sworn and were questioned by Albert Owens, J. J. Lingle, J. N. Casanova, very closely; his vote was accepted by the approval of the overseers.

Q. State whether or not these overseers displayed any bias or partiality; and, if so, in what manner.—A. They did show partiality which was perceptible to all. If a Republican, they were closely questioned, and being learned men of the law, tried to dictate to the sworn officers of the board what their duties was, and in every way that they could, by language and expression, prevent, if possible, the man from voting, if they had a shadow of a show; if a Democrat, very seldom were questions asked by them, and then only such questions as "Have you paid a State or county tax assessed within two years and paid thirty days or one month previously to said election?"

Q. In counting off please state who took the ballots from the box and what was done with them, and how the counting was conducted.—A. When we first commenced to count, Benjamin Jones, the judge, took the ballots from the box and handed them to Henry Southard, who announced the same, and tallied by John S. Gray and myself, as clerks, and as each ballot was finished passed it to James Test, minority inspector, who examined the same, then placed it on the file or a string with a darning needle. I omitted something there, to state that after a while Benjamin Jones tired; then Henry Southard took the ballots from the box himself and announced them.

Q. State for what office the ballots for Seth H. Yocum were cast at that election.—A. For Congress.

Q. Are you acquainted with William Hemphill; and, if so, how long have you known him?—A. I am acquainted, and have known him for the last fifteen years or more.

Q. Where did he reside on the 5th of November last, and how long immediately preceding that time did he live there?—A. He resided in Rush Township, and has lived there ever since my return in 1877.

Q. State how close to the line separating Philipsburg Borough and Rush Township is the place where he lived during the period you have just stated.—A. From two to three hundred feet; it's not less.

Q. State how you know that his residence as above stated was in Rush Township.—A. The borough proper, the line is the south line of a piece of ground owned by E. I. Dupont & Co., for whom Wagoner & Bro. were agents, and we paid the taxes on said property assessed in Rush Township, and his (Hemphill's) residence is on the adjacent lot north; I have been to his residence and saw him cook, saw his bed, and also his washing on a line at his door.

Q. State, if you know, at what poll he voted at the election held November 5, 1878.—A. He voted in Philipsburg Borough.

Q. State, if you know, to what political party he belongs.—A. He is a Democrat, and has been ever since I am here.

Cross-examined by J. L. SPANGLER, Esq.:

Q. State your politics.—A. I am a Republican, and proud of it.

Q. Have you been taking a leading part in the politics of this section?—A. Not particularly so.

Q. Have you served as a window man at the Philipsburg polls for your party?—A. I have served at the window.

Q. State whether you took part in the examinations made by the board at the election of November, 1878.—A. I did not. When a voter was called in before the board, when he was being questioned touching his right to vote at said election, said questions were expounded or were asked by the inspector, judge, and overseers; discussions arose as to the law, which all participated in, the challenger, the officers of the board, the overseers, John S. Gray, clerk. I, with the rest, gave my views, but never asked a man a question touching his right to vote.

Q. In case a voter was challenged for non-payment of taxes, who conducted the examination on the part of the board?—A. The questions were asked by the inspectors, Henry Southard and James Test; not often by the judge; but if a Republican, the inspectors and judge were ignored and the questions were propounded by this learned man of the law, Albert Owens, overseer.

Q. Were the relations existing between you and Albert Owens, on November 5, 1878, pleasant and friendly?—A. We are on speaking terms. We have had some business transactions, and thought we were getting along swimmingly; one of our projects in business transactions was immense; it amounted to over three hundred thousand dollars, and before or about the time of election the prospects were favorable.

Q. You have stated that there was a registry at the school house in which you held the election, did you not?—A. Yes, sir; I did; it was nailed up at the school house door.

Q. State whether that was a registry of voters for the borough of Philipsburg.—A. So said to be.

Q. State for what year.—A. 1878.

Q. State, if you know of your own knowledge the clerk to the county commissioners sent the judge of the election board a registry for the use of the board?—A. He told me not (the judge).

Q. Who assigned James Test to receive the ballots at the window, if anybody?—A. It was arranged by themselves, the inspectors and the judge, the duties they were to perform.

Q. Did the judge during the day assume and perform any of the duties of the minority inspector?—A. At dinner time, by the consent of the overseer, because there was but one (Mr Lingle was at his dinner), and the board, Benjamin Jones, the judge, took the ballots in at the window in place of the minority inspector; each tax receipt was closely scrutinized by the overseer present, Albert Owens.

Q. Were you present at the sealing of the ballot-box at the close of the count?—A. I was, and sealed it up myself.

Q. State the manner in which you sealed it?—A. We closed the box, tied it round with red tape tied securely with knots, and sealed it with sealing-wax, which was pressed with a knife to make it solid and secure.

Q. State if you placed the names of the election officers on paper and affixed them on the outside of the box?—A. To the best of my knowledge and belief they was not; they might of been, but was not that I remember.

Q. What proof did the board require from voters in the absence of the register?—A. All the proofs that was required was to their residence, payment of taxes. Not having a registry-list it was not known to the board who were or who were not registered, but being acquainted as the board were with those who presented their votes at the polls, and so being decided in the morning by the board and the overseers that it made no difference, no man was questioned whether he was registered or not.

Q. How many of the 342 votes cast at that election is Henry Southard, majority inspector, personally acquainted with?

(Counsel for contestant objects to the question for the reason that Henry Southard, who has just left the witness stand, has testified in answer to a question similar to the above, and stating specifically that he was acquainted with about two-thirds of the number. Second, because the testimony of the witness on the stand is not the best evidence of the number of such persons with whom Southard is acquainted; and, third, because it is not proper cross-examination.)

A. I cannot say.

Q. How many of the 342 persons who voted at that election was James Test, minority inspector, personally acquainted with?

(Counsel for contestee objects to the question for the reasons given in objections to the last preceding question, given in objections 2 and 3.)

A. I cannot say; possibly he may know them all.

Q. How many of the 342 voters who voted at that election did Benjamin Jones, the judge, know personally?

(Counsel for contestee objects to the question for the reasons referred to in the objection to the last question.)

A. I cannot say; he may know them all for all I know.

Q. What proportion of the voters at that election were personally known to the two inspectors and the judge?

(Counsel for the contestee objects to the question for the reasons referred to in objection to the last question.)

A. They may know them all for all I know; I don't know anything about it, what they know or how many they know.

Q. Are you personally acquainted with the 342 voters who voted at that election?—A. With the exception of a very few; I know a majority of them and am personally acquainted with a majority of them.

Q. What proof did the board require from persons whom the board were not personally acquainted with?—A. They treated one and all alike; had to produce tax-receipts of taxes paid one month or 30 days prior to the election which had been assessed within two years; those not having receipts were qualified as to having paid taxes and being duly qualified electors.

Q. In such a case above referred to, state whether the board would ask the voter when and where he was born?—A. Such questions were not asked to voters who the board knew to be American-born citizens; those of foreign birth were asked for their papers, which were produced and marked "voted" at said election.

Q. In the absence of a registry, state whether or not you have given all the proof which the board required from a naturalized citizen before receiving his vote?—A. They didn't require anything more except to produce their tax-receipts and such evidence of paying taxes as all other voters.

Q. Did the board require partly written and partly printed affidavits from voters other than those who voted on age?—A. There was other affidavits made out, but what they were I don't remember.

Q. How many of such affidavits were taken?—A. I cannot say how many; but few, and cannot tell the cases they covered.

Q. What proof did the board require of William Hemphill before receiving his vote?—A. William Hemphill's vote was challenged; he came inside, was sworn, and claimed his residence in Philipsburg, and, if you will allow me the expression, using the words that learned man of the law, Albert Owens, overseer, he was bull-dozed through by his magnificent interpretations of the law, and the disposition that was shown by the judge of the election, the majority inspector to give every man a vote who they knew had lived in Philipsburg Borough at some time, and in every instance they were more or less influenced by what he did say as to their qualifications to vote.

Q. How long have you known Hemphill?—A. Fifteen years or more.

Q. How long has he voted in the borough?—A. I have known him to vote here for years; can't say positive how long.

Q. Were the board satisfied with the proof of residence which Hemphill made before the board received his vote?—A. They received his vote, but do not think in their own minds the majority were satisfied as to his having a residence in the borough, but as I stated before, Judge of the Election Benjamin Jones, Henry Southard showing disposition to give every man a vote, were influenced by these fine illustrations of the law and remarks, it wouldn't make any difference anyhow.

Q. Are Benjamin Jones and Henry Southard Republicans?—A. They are, and known as such here.

JOHN H. WAGONER.

Adjourned until 8½ o'clock a. m., on Friday, March 21, A. D. 1879.

Met as per adjournment, Friday, March 21, A. D. 1879.

D. H. Hastings and J. G. Love appear as counsel for contestee, and J. L. Spangler as counsel for contestant.

DEPOSITION OF E. O. MATTERN.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age, 23 years; my residence is Philipsburg, Centre County, Pennsylvania.

Q. How long have you been a resident of Philipsburg?—A. Twelve years this spring, I believe.

Q. Have you paid a State or county tax within two years and one month before the election held on the 5th of November last which was assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election held for the borough of Philipsburg on the 5th of November last?—A. I did.

Q. For whom did you vote for Congress?—A. For Seth H. Yocum for Congress.

Q. Are you collector of State and county tax for the year 1878?—A. I am.

Q. Are you acquainted with Lewis Frank?—A. I am.

Q. Is he assessed with a State or county tax on your duplicate for the year 1878?—A. He is not.

Q. Are you acquainted with J. N. Casanova?—A. I am.

Q. State whether or not he came to you at any time prior to the election of last November to purchase any blank tax-receipts; and, if so, when it was and how many he got.

(Counsel for contestant objects to the question, first, because the witness has not stated that he sold tax-receipts; the question should be, Did you sell any tax-receipts; and, if so, to whom? Second, it is leading.)

A. He did not.

Q. Are you acquainted with William Hemphill?—A. I am.

Q. How long have you known him?—A. I have known him about eight or nine years.

Q. Where did he reside on the 5th of November last?—A. I believe he resided in Rush Township.

Q. How long previous to the 5th of November last had he been residing in Rush Township?—A. To the best of my knowledge he resided there four months previous to the election.

Q. Does he still reside there?—A. To the best of my knowledge he does.

Q. What tax-receipts, if any, did J. N. Casanova get from you prior to the election on the 5th of November last?—A. I could not tell exactly what number he got, but he got some; in the neighborhood of thirty, I think.

Q. For whom did he get these receipts; for Democratic or Republican voters?—A. For Democrats and Republicans.

Q. About what proportion of them were for Republicans?—A. About one-tenth; about two or three.

Q. Are you acquainted with Albert Owen and J. J. Lingle, esquires?—A. I am.

Q. How long have you known them?—A. I have known Mr. Owens in the neighborhood of eleven years and Mr. Lingle something over two years.

Q. What are their politics?—A. Democratic, I believe.

Cross-examined by J. L. SPANGLER, esq.:

Q. What ticket did J. J. Lingle vote at the election of November, 1878?—A. To the best of my knowledge, Democratic.

Q. State how you have obtained your knowledge of the ticket he voted at that election?—A. Only by his advocating Democratic principles.

Q. Did he vote a straight or mixed ticket?—A. I cannot tell.

Q. Is he an advocate of the Greenback theory of finance?—A. I never heard him talk on the question.

Q. What taxes did you collect?—A. State and county for 1878.

Q. How many tax-receipts did you issue to Republican leaders before the election of 1878?—A. Just about the same number that I furnished the Democrats.

Q. To whom did you issue them?—A. Henry Stockbridge.

Q. How many?—A. In the neighborhood of thirty.

Q. When did he pay you for them?—A. On the 3d and 4th day of October, 1878.

Q. Where did William Hemphill vote in November, 1878?—A. I could not tell you.

Q. State whether he had been voting in the borough.—A. To the best of my knowledge he voted in the borough; he resided here quite a length of time, and I presume there is where he voted.

Q. State whether he has a daughter living in the borough of Philipsburg.—A. I think he has.

Q. Had he a wife living in November, 1878?—A. I don't know anything about whether he had or not; I don't know if he had a wife or not.

Q. Has he a shop just across the line dividing Philipsburg Borough from Rush Township?—A. He has a shop near the borough line.

Q. State whether he divides his time between his shop or shanty and the house of his daughter.—A. I think he stays at his shop. I imply by that that he boards there.

Q. What information had you concerning his affairs on November 5, 1878?—A. Had no particular information at that time.

Q. Did you know at that time whether he made his home with his daughter or in his shop?—A. To the best of my knowledge, in his shop.

Q. What information had you at that time concerning his affairs?—A. Nothing particular.

Q. Have you examined your duplicate to find the name of Lewis Frank?—A. Yes, sir; I have.

Q. Do you find any name that corresponds either to the first or second part of his name?—A. There is a name on the sixty-day list or the duplicate corresponding with either.

Q. State those names.—A. Frank Lewis; just reverse his name and you have got it either way.

Q. Do you know Lewis Frank?—A. I do.

Q. To the best of your knowledge and information, state if the name Frank Lewis on the duplicate is the name of the person called Lewis Frank.—A. They are two different persons. I know Frank Lewis and Lewis Frank both.

Q. Did Frank Lewis pay you a State or county tax for the year 1878?—A. His State and county tax is paid; was paid for him for the year 1878.

Q. When, and by whom?—A. By Henry Stockbridge.

Redirect examination by J. G. LOVE:

Q. Were the persons for whom Henry Stockbridge paid taxes to you on the 3d and 4th of October last, regularly assessed with the taxes on your duplicate?—A. They were to the best of my knowledge, and so were those that Mr. Casanova got, with the exception of one, Lewis Frank.

E. O. MATTERN.

DEPOSITION OF WILLIAM R. HEMPHILL.

Examined by D. H. HASTINGS, Esq.:

Question. State your name and age.—Answer. My name is William R. Hemphill; my age is 52 years.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878; and if so, for whom did you vote for Congress?

(Counsel for contestant objects to the question, because counsel for contestee has no right to ask the witness for whom he voted for Congress until it shall have been shown that he had no legal right to vote in the borough of Philipsburg on November 5, 1878; 2d, because it is a privileged question which the witness can answer or decline to answer as he sees proper; any question as to the propriety or impropriety of his answer will have to be determined by the committee of Congress.)

A. I did vote at that election, and Andrew G. Curtin's name was on the ticket I voted.

Q. What business do you follow?—A. I am a butcher by trade.

Q. Where is your butcher-shop, if you have one?—A. I have nothing but a slaughter-shop; have no meat-market.

Q. Where is your slaughter-shop?—A. A short distance below the railroad freight depot.

Q. Is this shop in Philipsburg Borough or in Rush Township?—A. Rush Township.

Q. Did you build the shop; and, if so, when?

(Counsel for contestant objects to the question because it is immaterial in this, that it makes no difference, so far as this contest is concerned, when the witness built his shop.)

A. I did build the shop in the summer and fall of 1877.

Q. State whether or not you have a bed in the shop and if you sleep there?—A. I have a bed in another building adjoining the shop and I sleep there.

Q. How long have you been sleeping there?—A. Something over a year.

Q. Who stays with you in the building adjoining the shop?—A. Nobody staid with me over night there except my youngest son, who has staid with me since some time in January, 1879.

Q. If you are a widower please state the fact.—A. I am a widower since the 18th of July, 1875.

Q. Who does the cooking for you, and where do you take your meals?—A. I do the cooking sometimes, my son sometimes, since he's been there, and I take my meals in the same building I have my bed in.

Q. State where you have your washing done.—A. I get that done at my daughter's; she lives in the borough.

Q. State whether or not you have been taking your meals and having your cooking done at the place where you sleep since you have lived there?—A. I have taken the most of them there, of course; any time I have been working out day's work I took my meals at my daughter's. I didn't have time to cook my meals. I would of slept there too if their house had of been a little larger.

Cross-examined by J. L. SPANGLER:

Q. When and where were you born?—A. I was born in Chester County, Pennsylvania, on the 12th of October, 1826.

Q. When did you come to Centre County, and where did you first locate?—A. I came here on the 26th of October, 1864, but I didn't make my home here at that time until about a year afterwards.

Q. When did you first make your home in Philipsburg?—A. In 1865 I was married the second time and have made my home here ever since.

Q. Where did you live in 1865; on what street in Philipsburg?—A. I lived in Philipsburg, on Pine street.

Q. How long did you live on Pine street?—A. About 12 years; I was there from 1865 to 1877.

Q. When did your wife die?—A. On the 18th of July, 1875.

Q. Where did you make your home after the death of your wife?—A. On the same place that my wife owned at the time of her death until June, 1877.

Q. Where did you make your home after June, 1877?—A. On Front street until the December following of the same year.

Q. How much of a family had you at that time?—A. I had five children living.

Q. How many of your children were living with you in December, 1877?—A. None of them directly.

Q. Where did you make your home after December, 1877?—A. The only place that I could claim any home was with my daughter that was married.

Q. Give the name of your daughter.—A. Mary E. Cramer.

Q. Where is she residing at present?—A. On North Third street, Philipsburg. I am mistaken, it is Fourth street.

Q. Have you regarded her house as your home since December, 1877?—A. I have.

Q. Did you regard her house as your home on November 5, 1878?—A. I did.

Q. Did you have any other home?—A. Not unless you would count my slaughter-house my home, which I never did.

Q. Did you ever abandon the home with your daughter for the purpose of making your home in your slaughter-house?—A. No.

Q. Who does your mending and washing, mostly?—A. My daughter, Mary E. Cramer.

Q. Do you divide your time between your slaughter-shop and the residence of your daughter?—A. Yes; I am down there frequently; I am at my slaughter-shop most, because there is where I have my work.

Q. Why do you sleep at the slaughter-shop?—A. Because the house that my daughter lives in is too small for the family without any addition; I did not sleep there from choice, but from necessity; I was not able to rent a room any place else.

Q. Do you take your meals at the shop because you wish to be handy to your work?—A. That's been the main reason for it, because I have my household furniture there; my cooking-stove, for one thing, and cooking utensils; I mean at the shop; part of my furniture is at my shop, and part at my daughter's.

Q. Which of the two places, the shop or the house of your daughter, do you consider and regard as your home?—A. My daughter's.

Q. Where have you paid your taxes mostly, since 1865?—A. Borough of Philipsburg alone.

Q. Have you paid a State or county tax within two years?—A. I have.

Q. When, and to whom?—A. To Jackson Gorten; I think it was November, 1877.

Q. Where have you voted since 1865?—A. Never any place in Centre County, except in the borough of Philipsburg.

Q. Who challenged your vote at the election of November 5, 1878?—A. Henry Stockbridge.

Q. State the politics of Henry Stockbridge?—A. I believe he is a Republican; at least I always understood so.

Q. What proof did you make of your right to vote?—A. That is a question I don't really know how to answer; I was qualified and claimed the borough as my residence.

Q. Was your vote accepted?—A. It was.

Redirect examination by J. G. LOVE:

Q. In whose house did you live on Front street in June, 1877, until December, 1877?—A. Jacob Mock's.

Q. Did you have the house rented?—A. No; I paid no rent; there was no agreement to pay rent; the house was vacant, and I went in to save his insurance.

Q. Did you keep house while you lived there?—A. I kept what you might call bachelor's hall a part of the time.

Q. Did you have your household furniture moved into the house of Jacob Mock?—A. A part of it.

Q. Where was the other part of it?—A. With my daughter, Mary E. Cramer.

Q. When you left the house of Jacob Mock in December, 1877, where did you go?—A. To the same place that I am now—my slaughter-shop.

Q. Did you take with you the household furniture that you had been using while in the house of Jacob Mock?—A. The most of it.

Q. How many apartments has the building in which you now live?—A. Three apartments.

Q. How are they occupied?—A. The first as you go in is occupied for butchering and cutting and manufacturing all kinds of meat—a regular slaughter-shop; the next is where I have my cook-stove and do my cooking in; the next is a small room at the end which I built for a sleeping apartment, which is occupied as such.

Q. When was your daughter married?—A. I think it will be three years next June, if am not mistaken.

Q. Have you ever since her marriage occupied a separate room in her house for any stated or particular length of time?—A. No.

Q. Have you paid a State or county tax in the borough of Philipsburg for the year 1878?—A. Not yet I haven't.

Recross-examination by J. L. SPANGLER:

Q. Did you vote at the election held February 18, 1879, in the borough of Philipsburg?—A. I did.

Q. Did the same election officers hold the election in February that held it in November, 1878?—A. I believe they did.

Q. Was your vote accepted without any examination as to your legal right to vote?

(Counsel for contestee objects to the examination of the witness in relation to his vote at the election in February last, because it is wholly immaterial, irrelevant, and not proper cross-examination.)

A. It was contested. My vote was challenged at the spring election by Stockbridge. I will not be positive that he challenged it in November, 1878. It was accepted at the February election.

W. R. HEMPHILL.

DEPOSITION OF LEWIS FRANK.

Examined by D. H. HASTINGS:

Question. State your name, age, occupation, and residence.—Answer. My name is Lewis Frank; my age, I was born in 1837; my occupation, I am a days' laborer; my residence is Slabtown, Philipsburg Borough.

Q. State whether your residence is in the new addition to the borough of Philipsburg.—A. I suppose it is.

Q. How long have you lived in Philipsburg Borough?—A. I have lived at the tannery for near two years.

Q. During the time you have lived at the tannery was the place where you reside taken into Philipsburg Borough; and, if so, when?—A. The place where I live was taken into the borough since I lived there; that part was taken into the borough about last fall some time.

Q. Have you paid a State or county tax within two years?—A. No, sir.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878?—A. Yes, sir; I did.

Q. What is your politics?—A. My politics is Democratic.

Q. Can you read?—A. No, sir.

Q. What time during the election day did you vote?—A. I think it was before dinner.

Q. From whom did you receive the ticket that you voted?—A. Boyd Beemer.

Q. What is Boyd Beemer's politics?—A. Democrat, as far as I know.

Q. Did Boyd Beemer inform you what kind of a ticket it was that he gave you?—A. Yes; he told me that it was a straight-out Democratic ticket.

Q. State whether or not you showed your ticket to any person or persons at the time you voted; and, if so, to whom?—A. To J. N. Casanova and Harry Simler.

Q. To whom did you show your ticket last before you voted?—A. J. N. Casanova.

Q. State whether or not the ticket was changed and Harry Simler's name put on it?—A. Yes, sir; Harry Simler put his name on.

Q. State whether or not you had any conversation with J. N. Casanova at the time he handed you the ticket back, about what kind of a ticket it was.—A. I think it was the same ticket. I had no conversation with him about the kind of ticket.

Q. State whether or not Mr. Casanova said anything at that time about the ticket being all right, or words to that effect.—A. Yes; he said it was all right when he gave it to me.

Q. Did you vote that ticket immediately after Mr. Casanova handed it back to you?—A. I did within, I suppose, twenty minutes afterward.

Q. State whether or not any person gave you a tax receipt; and, if so, tell who?—A. Yes, sir; Mr. Casanova.

Q. Have you that tax receipt, and will you please produce it?—A. Yes, sir, I have, and herewith produce it.

Q. (The paper shown witness.) Is this the receipt that Mr. Casanova gave you?—A. Yes, sir, it is.

(Paper marked Exhibit A, W. E. I., N. P., March 21, 1879, offered in evidence.)

A true and attested copy of the original and designated as above is hereto attached:

(Copy.)

“PHILIPSBURG, Oct. 5, '78.

“Received of Lewis Frank \$.10, county, in full for tax for the year 1878.
(Sign'd)

“E. O. MATTERN,
“Coll.”

Q. State the time, as near as you can, when Mr. Casanova gave you this receipt?—A. He gave it to me on the election day, I suppose about an hour before I voted.

Q. Did you know before he handed you the receipt that he had paid any taxes for you?—A. Yes, sir.

Q. How long before the election day did you know that he had paid any taxes for you?—A. As near as I can get at it it must have been a week or more.

Q. Please state if E. O. Mattern, the tax-collector, ever called on you for any State or county tax?—A. No, sir.

Q. State if you know whether there was any State or county taxes assessed against you on his duplicate?—A. I couldn't say that.

Q. State if you know whether you have been assessed in Philipsburg Borough since the time that the place where you have lived for about the last two years, as you have stated, was taken into the borough of Philipsburg?—A. No, sir, not that I know of; if they did they must

have done it without coming to my house. They were not there to assess me that I know of.

Adjourned to meet at 1.30 o'clock this p. m.

Met as per adjournment this p. m.

LEWIS FRANK recalled for cross-examination by J. L. SPANGLER, on the part of the contestant.

Question. Give your full name?—Answer. Lewis Frank.

Q. Is there any other Lewis Frank in this neighborhood?—A. Not that I know of.

Q. Did you vote on the name of Lewis Frank?—A. Yes, sir; I voted on that name.

Q. Did you have a tax receipt, and were you required to produce it?—A. Yes, sir, I had a tax receipt, and handed it and the ticket in together, and there was no questions asked.

Q. Do you know Jack Mason?—A. Yes, sir; I do.

Q. State whether or not he was the assessor for Rush Township for the year 1878?—A. Yes, sir; he was.

Q. Did he assess your property in Rush Township?—A. He wanted to, and I was not there; he wanted to assess it to me, and my father said he should not.

Q. Do you live on that property now?—A. No, sir.

Q. Did the assessor assess you in Rush Township in 1878?—A. Yes, sir, he did.

Q. Were you assessed in Rush Township in 1877?—A. I suppose I have been assessed ever since I have been here.

Q. Where are you working at the present?—A. At the tannery.

Q. Where do you reside now?—A. Still at the tannery, with my family.

Q. State if you live on the addition which has been made to the borough from the township of Rush?—A. I suppose I do.

Q. What tax receipt had you when you voted at the November election, 1878?—A. The one in evidence.

Q. Did you vote at the election in the fall of 1877?—A. I think I did.

Q. Had you paid a tax or had you a tax receipt for the tax of 1877?—A. I don't know whether I have.

Q. Do you know whether you paid a State or county tax for the year 1877?—A. I do not know whether I did or not.

Q. Do you know that your tax for 1877 was paid?—A. No; there was nobody asked me for tax, not for that year.

Q. State whether you had lived in the borough of Philipsburg for two months before November 5, 1878?—A. Yes, sir, I think I have.

LEWIS FRANK.

DEPOSITION OF ROBERT LOYD.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age is 53 years; my residence, Philipsburg Borough, Centre County, Pennsylvania.

Q. How long have you resided in Philipsburg?—A. I have lived here since 1840.

Q. Have you paid a State or county tax within two years, and one month before the election held on the 5th of November last, which was assessed two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for the borough of Philipsburg held on the 5th of November last; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and voted for Seth H. Yocum for Congress.

ROBERT LOYD.

• E. O. MATTERN recalled.

Examined by J. G. LOVE:

Question. State whether you gave a receipt in the name of Lewis Frank for the payment of a State or county tax for the year 1878; and, if so, to whom you gave it, and how you came to give it.—Answer. I gave a tax-receipt to J. N. Casanova, at his instance; told him his name was not on the duplicate. He said it didn't make any difference. I gave it to him and told him that I did not think it would amount to anything to him, owing to the fact that he was not assessed.

Q. (Original receipt, of which certified copy marked Exhibit A, W. E. I., N. P., March 21, 1879, offered in evidence, shown witness.) Is this the receipt that you gave J. N. Casanova?—A. It is.

Cross-examination by J. L. SPANGLER:

Q. Are you acquainted with Lewis Frank?—A. Yes, sir.

Q. Is the name of Frank Lewis on your duplicate?—A. It is on the sixty-day list.

Q. How are the names on the duplicate arranged as to lettering?—A. In alphabetical order; the last name first.

Q. Then the name of Frank Lewis as it stands on your duplicate would correspond to the name of Lewis Frank, for whom you made a receipt?—A. It stands as Lewis Frank.

Q. How does the name stand on the sixty-day list?—A. It stands Lewis Frank.

Q. Is it marked paid?—A. It is.

Q. Who paid it?—A. Henry Stockbridge.

Q. When did he pay it?—A. On or about the 3d or 4th of October, 1878.

Q. For whom did J. N. Casanova pay about that time?—A. He paid for Lewis Frank.

Q. What kind of a receipt did you give him?—A. A written receipt.

Q. State if you gave him (J. N. Casanova) a receipt of which the following is a copy:

“PHILIPSBURG, *October 5th*, 1878.

“Received of Lewis Frank \$.10, county, in full for tax for the year 1878.

(Signed)

“E. O. MATTERN, *Coll.*”

A. I wrote him such a receipt.

Q. State if the following is a copy of the receipt you gave to Harry Stockbridge on or about October 4, 1878:

(Copy.)

“PHILIPSBURG, *October 4th*, '78.

“Received of Frank Lewis \$.16, county tax in full for the year 1878.

(Signed)

“E. O. MATTERN, *Coll.*”

A. To the best of my recollection it is.

Q. Do you know two persons, one by the name of Lewis Frank and the other by the name of Frank Lewis, in this neighborhood?—A. I did about October 5, 1878.

Q. Where did Lewis Frank reside in October, 1878?—A. To the best

of my knowledge, in Lloydsville, in the borough extension of Philipsburg.

Q. Where at that time did Frank Lewis reside?—A. I believe he staid with his brother-in-law (Mr. Blake) in the borough of Philipsburg.

Q. Was Frank Lewis a single or married man?—A. Single.

Q. Was Lewis Frank a single or married man?—A. Married.

Q. How long has Lewis Frank resided in this neighborhood?—A. I think about five years.

Q. How long has Frank Lewis resided in this neighborhood?—A. I could not say how long he has resided here.

Q. Had Lewis Frank any property in this neighborhood?—A. Not to my knowledge.

Q. Had Frank Lewis any property in this neighborhood?—A. Not to my knowledge.

Q. Who was the assessor in the year 1878 for the borough?—A. H. H. Gunter.

Q. Can you tell us whether the assessor assessed Lewis Frank or Frank Lewis?—A. To the best of my knowledge it was Frank Lewis.

Q. How are the names on the list of sixty-days' tax of Philipsburg Borough arranged?—A. Alphabetically, to correspond with the last name of the person assessed.

Q. How are the names punctuated on that list?—A. They are all punctuated with a period after the last name, except two.

Q. Give the names of the two who stand on your sixty-day list without punctuation?—A. Lewis Frank and Test Harry.

Q. Did Frank Lewis vote in the borough of Philipsburg at the election held November 5, 1878?—A. I cannot tell.

Q. Did Lewis Frank vote at that election?—A. I cannot tell.

Q. To what political party did Frank Lewis belong in the fall of 1878?—A. To the best of my knowledge a Republican.

Q. To what political party did Lewis Frank belong in the fall of 1878?—A. I cannot tell.

Q. Did you knowingly issue a receipt to J. N. Casanova for Lewis Frank in October, 1878, when you believed that the Lewis Frank that was assessed on your sixty day list was intended for Frank Lewis, or was it rather a mistake occasioned by a confusion of the names of two persons which you proposed to remedy by issuing two tax-receipts, one for J. N. Casanova, a Democrat, and the other for Harry Stockbridge, a Republican, one receipt to Lewis Frank the other to Frank Lewis?—A. I issued a receipt to Harry Stockbridge, for Frank Lewis, the name corresponding with that on the sixty-day list, believing it to be the party intended. I issued a receipt at the instance of J. N. Casanova for Lewis Frank, knowing his name not to be on the duplicate, and that if any trouble arose he would have to stand good for it himself; he said he would see me through.

Q. Give the name as it stands on the sixty-day list.—A. Lewis Frank.

Q. How did you issue the receipt to Casanova?—A. I issued to him in the name of Lewis Frank.

Q. If the assessor assessed Lewis Frank under the name of Lewis Frank then your receipt to Casanova would be correct?—A. It would be, if he assessed it under the name of Lewis Frank, except as to the amount.

Redirect examination by J. G. LOVE :

Q. Will you please state whom the person is that is assessed on your

sixty-day list, the name appearing thereon "Lewis Frank"?—A. Frank Lewis.

Q. Does his name appear in alphabetical order thereon, the last name first, the same as the names of all persons assessed and appearing thereon?—A. It does.

Q. What is the amount of tax assessed against Frank Lewis on the sixty-day list?—A. Sixteen cents.

Q. Was that the amount of tax that was paid you for him by Harry Stockbridge?—A. It was.

E. O. MATTERN.

DEPOSITION OF T. B. POTTER.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is T. B. Potter; my age is 49 years; my residence, Philipsburg Borough, Centre County, Pennsylvania, and have lived here twenty-three years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which was assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

THOS. B. POTTER.

DEPOSITION OF GEORGE H. ZEIGLER.

Examined by D. H. HASTINGS:

Question. State your age, name, and residence.—Answer. My name is George H. Zeigler; my age, thirty-eight years; my residence is Philipsburg Borough, Centre County, Pennsylvania, and have lived here for the last thirteen years or more.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election held for Philipsburg Borough on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Were you present at the time that J. N. Casanova bought and paid for a number of tax-receipts to E. O. Mattern, collector? and, if so, tell what occurred at that time.—A. I was present and saw him pay for a number of tax-receipts to E. O. Mattern, and saw him receive the tax-receipts; also saw him give to E. O. Mattern \$5 as a contingent fund, remarking at the time, "Take this \$5, and if I have forgotten or neglected to pay any taxes, consider this as a payment, and mark them paid, as I shall give you the names hereafter." E. O. Mattern took the money in the presence of D. W. Holt, H. C. Williams, and myself.

Q. State when the facts you have above related took place.—A. The 5th of October, 1878.

Cross-examined by J. L. SPANGLER:

Q. Did E. O. Mattern, the collector for taxes for 1878, issue any tax-receipts to J. W. Casanova, or any of the party leaders, after October 5, 1878, to the best of your knowledge?—A. I do not know whether he did or did not.

GEO. H. ZEIGLER.

DEPOSITION OF THOMAS M. CRISSMAN.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, fifty-two years; my residence is Philipsburg Borough, Centre County, Pennsylvania, and have lived here continuously for the last fifteen years.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have; I have paid a tax to Mr. Gorten, collector for 1877.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

THOS. M. CRISSMAN.

DEPOSITION OF E. A. RYMAN.

Examined by JAMES LOVE:

Question. State your age and residence.—Answer. My age, thirty-two years; my residence, Philipsburg Borough, Centre County, Pennsylvania, and have lived here thirteen years—will be on the 7th of May next.

Q. Have you paid a State or county tax within two years, and one month before the election held on the 5th of November last, which was assessed two months prior thereto?—A. I did.

Q. Did you vote at the election for the borough of Philipsburg, held on the 5th of November last; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

E. A. RYMAN.

DEPOSITION OF JOHN W. MATTERN.

Examined by JAMES LOVE:

Question. State your age and residence.—Answer. My age is fifty-three years; my residence, Philipsburg Borough, Centre County, Pennsylvania, and have lived here—I think it's ten years past.

Q. Have you paid a State or county tax within two years, and one month before the election held on the 5th of November last, and which had been assessed two months prior thereto?—A. I have.

Q. State whether you voted at the election for the borough of Philipsburg, held on the 5th of November last, and, if so, for whom you voted for Congress.—A. I did vote at that election, and for Seth H. Yocum for Congress.

J. W. MATTERN.

DEPOSITION OF H. C. WARFEL.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is thirty-four years, and my residence Philipsburg Borough, Centre County, Pennsylvania, and I have lived here continuously for the last ten years.

Q. Had you paid a State or county tax within two years, and more than one month before the 5th of November, 1878, and which had been assessed more than two months prior thereto; had you?—A. I had.

Q. Did you vote at the election for Philipsburg Borough, held Novem-

ber 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by J. L. SPANGLER:

Q. To whom did you pay the State and county taxes for the year 1878?—A. E. O. Mattern.

Q. When?—A. I don't recollect when it was.

Q. How long was it before the election?—A. Well, I suppose it was two or three weeks before the election.

Q. To whom and when did you pay the State and county taxes for 1877?—A. To Jackson Gorton, in 1877.

H. C. WARFEL.

DEPOSITION OF H. H. HEWITT.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is thirty-two years, and my residence is Philipsburg, Centre County, Pennsylvania, and have lived here continuously for the last twelve years.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Are you acquainted with Albert Owen, esq., and J. J. Lingle, esq., and, if so, please state to what profession they belong, and what their politics are.—A. I am acquainted with them both; Mr. Owen is a farmer, as much as anything, and Mr. Lingle is a lawyer; to the best of my knowledge, I believe them to be Democrats of the deepest dye.

Q. Were you present at a conversation between J. J. Lingle, esq., and other parties, shortly after the election of November 5, 1878, and, if so, please state what J. J. Lingle, esq., said as to the conduct of the election held on November 5, 1878?—A. I was present the morning after the election, in Flegal's store; there were several parties in there, Mr. Flegal for one; Harry Test, I believe, was there; I heard Mr. Lingle say there that he considered the election in this borough one of the fairest that was ever held. They were talking of the election of November 5, 1878, of this borough.

H. H. HEWITT.

DEPOSITION OF GEORGE SIMLER.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is fifty-nine years, and I reside in the borough of Philipsburg, Centre County, Pennsylvania, and have resided continuously in the borough since August, 1878, which was the time the new addition was made to the borough; before that time I lived in the adjoining township of Rush for about eleven years.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I did.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878; and, if so, for whom did you vote?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by J. L. SPANGLER :

Q. When and to whom did you pay the State and county taxes for 1878?—A. I haven't paid the taxes for 1878 yet. The taxes for 1877 were paid within two years of the election. I showed my tax receipt when I voted.

G. B. SIMLER.

DEPOSITION OF HENRY SIMLER.

Examined by D. H. HASTINGS :

Question. State your age and residence.—A. My age is 31 years, and my residence is Philipsburg Borough, Centre County, Pennsylvania, and have lived here continuously for the last nine years.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Are you acquainted with Albert Owen, esq., and J. J. Lingle, esq.; and, if so, state what their professional business, and to what political parties they both belong?—A. I am acquainted with them both. Lingle is an attorney at law; Mr. Owen also acts as attorney for some parties here; and they belong to the Democratic party, both of them.

Q. Are you acquainted with Lewis Frank?—A. I am.

Q. Did you give him a ticket to vote on the day of election held November 5, 1878?—A. I don't remember whether I gave him a ticket, but I had his ticket in my hands.

Q. Did you examine his ticket? And, if so, tell what kind of a ticket it was.—A. I looked at his ticket, and it was a Democratic ticket.

Q. Whose name was on it for Congress?—A. Andrew G. Curtin or A. G. Curtin.

Q. Did you alter the ticket in any way; and, if you did, in what particular?—A. I crossed out Murray's name for assembly, and inserted the name H. Simler.

Q. Did you then return the ticket to Lewis Frank?—A. I did.

Q. When and where did you do this?—A. At the Philipsburg Borough school-house, where the election was held, on the day of the election.

Q. Did Lewis Frank vote that ticket?—A. He did, to the best of my knowledge; he went right up to the window and voted.

Q. Are you acquainted with William R. Hemphill; and, if so, where did he reside on the 5th of November last?—A. I am acquainted with William R. Hemphill, and he resided in Rush Township on the 5th of November last.

Q. How long before the 5th of November, 1878, did William R. Hemphill reside in Rush Township?—A. He lived there for some time; can't tell how long, but for six months anyhow.

Q. In what part of Rush Township did William R. Hemphill live?—A. He lived close to the borough line; I mean Philipsburg Borough.

Q. What kind of a house does William R. Hemphill live in?—A. It's a one-story frame house.

Q. How many apartments are there in his house, if you know?—A. There are three apartments, I think.

Q. What occupation does William R. Hemphill follow in Rush Township?

(Counsel for contestant objects to the question, because the question assumes the very fact in dispute, to wit, his residence, which the counsel in the question assumes to be in Rush Township.)

A. He follows butchering.

Adjourned to meet at 7 o'clock this p. m.

Met as per adjournment at 7 o'clock p. m.

HARRY SIMLER recalled for examination-in-chief by D. H. HASTINGS, esq., as counsel for contestee.

Question. Where is your place of business, and how far is it from the residence of Wm. R. Hemphill?—Answer. My place of business is at the freight warehouse of the Pennsylvania Railroad. It is about one square or about twenty-five rods from my place of business to the residence of Wm. R. Hemphill.

Q. State as near as you can how often you have seen Mr. Hemphill about his residence during the last six months.—A. Well, I have seen him there every day.

Q. State whether or not Wm. R. Hemphill has been taking his meals and sleeping there for the last six months.—A. He has.

Q. State whether or not you have seen him taking provisions to his house, and doing cooking there, during the last six months.—A. I have.

Q. State whether or not you have seen his washing hanging about his residence during the last six months, and if so, at what intervals during that time?—A. I have seen washing hanging out there at different times.

Q. Has any one been living with him there, and if so, who was it, and when?—A. His son, Ira B., has been living with him.

H. SIMLER.

DEPOSITION OF OSCAR ADAMS.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is 46 years, and my residence is Philipsburg Borough, Centre County, Pennsylvania, and I have lived in this borough since 1859.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and I voted for Seth H. Yocum for Congress.

O. ADAMS.

DEPOSITION OF JOHN GOWLAND.

Examined by D. H. HASTINGS:

Question. State your age and residence?—Answer. My age is 31 years, and my residence is Philipsburg Borough, Centre County, Pennsylvania, and have lived here for the last ten years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough, held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Are you acquainted with Daniel McFall, Wm. Starratt, Warren Sterratt, Thomas Only, Jno. Peightal, Jesse Peightal, Jacob Plumber, Levi Yingling, A. E. Zeigler, Hamer Sankey, George Thomas, Richard Fitzhugh, Wm. P. Furey, Daniel Ayres, Wm. Ayres, E. A. Davis, Neil Davis, Frank Duke, Thornton Dunkle, Wm. Adams, T. D. Adams, J. C. Braden, A. B. Flood, M. Gowland, Frank D. Gowland, Joshua Beck, Frank Beck, Andrew Beck, Charles Heeman, William Johnsonbaugh, Charles Lloyd, Jacob Gunter, Lewis Hess, Fred. Hart, Charles Long, Benjamin Hart, Samuel Miller, Amos Newman, John Shontz, Jeremiah Sankey, W. D. A. Nangle, Wm. Pleasant, Charles Taylor, William H. Wilson, Harry Williams, Wm. Dixon, H. C. DeHass, Wm. Blake, H. P. Blair, Reuben Freeman, Wm. Spear, A. H. Smith, Ed. Runk, Ed. Robinson, John Robinson, Wm. Roberts, Charles Reeder, John Blane, John Funk, Jeremiah Funk, S. S. Crissman, T. J. Myers, J. B. Iches, Wm. Myers, Dorsey Myers, James Matley, James Moore, Robt. Musser, Hayworth, O. Penn Jones, J. W. Jones, Saml. Jones, Jefferson Jones, O. B. Jones, Wm. J. Lowther, Jonathan Forcey, Alfred Johnston, Wm. Jones, Mithias Plank, W. B. Torrence, and John Braden?—A. I am acquainted with them.

Q. State whether or not the persons I have named were residents of the borough of Philipsburg on the 5th of November last, and had been residents thereof for two months immediately preceding that time.—A. They were, I believe.

Q. State if you know whether or not the persons you have named had paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto.—A. I believe they have.

Q. State whether or not the persons you have named above voted at the election for Philipsburg Borough held November 5, 1878.—A. They did.

Q. State if you know for whom the persons you have named above voted for for the office of Congress.—A. They voted for Seth H. Yocum.

Q. What is the number of the voters whom you have named above as voting for Seth H. Yocum for Congress?—A. The number is eighty-one.

Cross-examined by J. L. SPANGLER:

Q. Where was Daniel McFall born?—A. I do not know.

Q. Where and by whom was he assessed?—A. I do not know.

Q. Where and to whom did he pay a State or county tax within two years and one month preceding the election of November 5, 1878?—A. I do not know.

Q. When was he born?—A. I do not know.

Q. How do you know that Daniel McFall paid a State or county tax within two years and one month preceding the election of November 5, 1878?—A. I was at the window when he voted, and the board required of each and every voter that voted whether they had paid a State or county tax which had been assessed at least two months prior to said election and paid at least one month prior to said election, for which he had to show a receipt or go inside and be qualified to the same before his vote was accepted. That is the proof I have of him having a right to vote.

Q. What did the board require in the case of Daniel McFall?—A. They asked him the same question as stated above: "Have you lived in this election precinct at least two months, and have you paid a State or county tax at least one month prior to this election?" "Show your receipt," and if a man or voter had his receipt he handed it to the

inspector. If not, he had to come inside and be qualified to the same by the election-board. This is what the inspector said to voters in general.

Q. Did McFall produce a tax-receipt or qualify to the payment of a tax before the board?—A. I do not know which he did; he did one or the other; I cannot remember which.

Q. Did Daniel McFall make any other proof than what you have mentioned?—A. Not that I know of.

Q. For whom did Daniel McFall vote for Congress?—A. Seth H. Yocum.

Q. How do you know?—A. He told me so personally himself.

Q. When did he tell you so?—A. Yesterday.

Q. Did you make it your business to inquire?—A. I did.

Q. What time in the day did he vote?—A. I think in the forenoon.

Q. Where and when was William Starrett born?—A. I do not know.

Q. State when, where, and by whom he was assessed.—A. I do not know.

Q. State when, where, and to whom he paid taxes which would entitle him to vote at the election of November 5, 1878.—A. I do not know.

Q. State where, when, and by whom he was registered.—A. I believe he was registered by H. H. Gunter.

Q. What reasons have you to believe that he was registered by H. H. Gunter?—A. Because H. H. Gunter was the assessor for Philipsburg Borough for the year 1878, and he (William Starrett) has lived in the borough the past ten years to my knowledge.

Q. You presume, do you not, that H. H. Gunter, the assessor for Philipsburg Borough for 1878, would perform his duties by assessing all the voters in said borough, and is it on this presumption that you state that William Starratt was assessed?—A. I believe he would, to the best of his knowledge and ability.

Q. What proof did the board require before accepting his vote?—A. The same as in the case of Daniel McFall.

Q. What receipt for the payment of taxes did Wm. Starratt produce?—A. I do not know.

Q. How do you know that Wm. Starratt voted for Seth H. Yocum for Congress?—A. He told me so personally himself, yesterday.

Q. Did you make it your business to inquire?—A. I did.

Q. State when and where Warren Starrett was born.—A. I do not know.

Q. State when, where, and by whom he was assessed.—A. I believe he was assessed by H. H. Gunter.

Q. State the grounds of your belief.—A. He has lived in the borough of Philipsburg at least ten years, to my knowledge, and I believe that the assessor would assess and register all voters to the best of his knowledge and ability.

Q. Do you know positively whether the assessor did assess Warren Starratt?—A. I do not.

Q. State when and where Thos. Only was born.—A. I do not know.

Q. State when, where, and by whom he was assessed.—A. I cannot say.

Q. State when, where, and to whom he paid a State or county tax which would entitle him to vote at the election of November 5, 1878.—A. I do not know.

Q. What proof did the board require from Thomas Only before accepting his vote?—A. He had to show a tax receipt or be qualified the same as Daniel McFall.

Q. What time in the day did he vote?—A. I do not remember.

Q. How do you know he voted for Seth H. Yocum for Congress?—A. He told me so himself, personally, yesterday.

Q. Did you make it your business to inquire?—A. I did.

Q. Did Thos. Only produce a tax receipt or qualify to the payment of a tax before the board accepted his vote?—A. He did one or the other. I cannot say which.

Q. State when and where John Peightal was born.—A. I do not know.

Q. State when, where, and by whom he was assessed.—A. I believe he was assessed by H. H. Gunter.

Q. Why?—A. I have known him to live in the borough of Philipsburg for the last eight or ten years, to my knowledge.

Q. State when, where, and to whom he has paid a State or county tax which would entitle him to a vote at the election of November 5, 1878.—A. I do not know.

Q. What time in the day did he vote?—A. I cannot answer that positively as to the time of day.

Q. Did you see him vote?—A. I did.

Q. Who voted immediately before John Peightal?—A. I cannot say positive.

Q. Who voted immediately after he did?—A. I cannot say.

Q. Did John Peightal vote before or after Daniel McFall?—A. I cannot say.

Q. How do you know that John Peightal voted for Seth H. Yocum for Congress?—A. He told me so personally himself, yesterday.

Q. Did you know before yesterday that Jno. Peightal had voted for Seth H. Yocum?—A. I believed he had.

Q. State the grounds of your belief.—A. That he voted the Republican ticket were my grounds.

Q. Did you see his ticket before he voted?—A. I did not.

Q. State when and where Jesse Peightal was born.—A. I do not know.

Q. State when, where, and by whom he was assessed.—A. I do not know.

Q. State when, where, and to whom he paid a State or county tax which would entitle him to vote at the November election, 1878.—A. I do not know at what time he paid a State or county tax; I believe he told me that he had paid his taxes; I think I asked in regard to his taxes on the 4th or 5th day of October, 1878; he told me he was all right for a vote.

Q. What time in the day did he vote?—A. I cannot say positively at what time.

Q. Did you see him vote?—A. I did.

Q. Did he produce a tax-receipt?—A. He either did or was qualified to the same.

Q. Did he vote before or after Jno. Peightal?—A. I do not know which.

Q. How do you know that he voted for Seth H. Yocum for Congress?—A. I believed he had and I asked him the question yesterday, and he told me he voted for Yocum.

Q. To what political party did he belong in the fall of 1878?—A. To the Republican party.

Q. State when and where the eighty-one persons you have mentioned were born.—A. I do not know as to all of them; I do know about my father and brother.

Q. State where and when your father was born.—A. I believe he was born in England; I do not know when.

Q. State when and where your brother was born.—A. In Williamsport, Lycoming County, Pennsylvania.

Q. State when, where, and by whom the eighty-one persons you have named were assessed.—A. I cannot say positively.

Q. State when, where, and to whom they paid State or county taxes which were assessed at least two months and paid at least one month immediately preceding the November election of 1878.—A. I cannot say as to all of them; I can say as to M. Gowland and Frank Gowland paying their taxes to Jackson Gorten for the year 1877, and to George Thomas and Frank Duke paying taxes, I believe, to E. O. Mattern, tax-collector, for 1878; I gave them their receipts myself; that is all I can swear to positively.

Q. When did you give the tax receipts to George Thomas and Frank Duke?—A. I gave George Thomas his the day before the election; Frank Duke's on election day, before he voted.

Q. Where did you get the tax-receipts of Frank Duke and George Thomas?—A. From Henry Stockbridge.

Q. What taxes did these two receipts call for?—A. I am not positive whether it was for the State or county, for the year 1878; it was one or the other.

Q. Had you any other receipts for any of the persons you have named; and, if so, who were they?—A. I had no other tax-receipts for any other persons except those named.

Q. Were any or all of the persons you have named registered in the borough of Philipsburg on November 5, 1878?—A. I cannot say positively, not having examined the register.

Q. Did all or any of them produce a tax-receipt before the board when they voted?—A. All of them either produced a tax-receipt or was qualified to having paid a tax at least one month and which had been assessed at least two months prior to said election.

Q. Name those who produced tax-receipts before their ballots were accepted by the board.—A. I cannot say as to who presented receipts or who did not, positively.

Q. Name those who made proof of the payment of taxes before the board, prior to their voting.—A. I cannot say, positive.

Q. State the time when the persons you have named voted.—A. Between the hours of 8 o'clock a. m. and 7 o'clock p. m.; I will not say what time during the day they voted, positive.

Q. State when and where was born.—A. I do not know; I believe he is an Englishman.

Q. State how you know that the eighty-one persons that you have named voted for Seth H. Yocum for Congress.—A. They all of them told me personally, themselves, that they cast their vote for Seth H. Yocum for Congress, at various times from the 5th day of November up to the present day.

Q. Did you see every man personally?—A. I did.

Q. Did you see all of them vote?—A. I did.

Q. Did you see their tickets before they voted?—A. Quite a number of them; would not say positive as to how many of them.

JOHN GOWLAND.

Adjourned to meet Saturday, March 22, A. D. 1879, at 8½ o'clock a. m.

Met as per adjournment March 22, A. D. 1879.

DEPOSITION OF R. M. MUSSER.

Examined by J. G. LOVE :

Question. State your age and residence.—Answer. My age, 45 years ; my residence is Philipsburg Borough, Centre County, Pennsylvania, and have resided here twenty-two years.

Q. Have you paid a State or county tax within two years and one month before the election held on the 5th November last which was assessed two months prior thereto?—A. Yes, sir ; I have.

Q. Did you vote at the election held for the borough of Philipsburg, on the 5th of November last ; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

ROBT. M. MUSSER.

DEPOSITION OF ALEXANDER WATSON.

Examined by J. G. LOVE :

Question. State your age and residence.—Answer. My age, 43 years ; my residence is Philipsburg Borough, Centre County, Pennsylvania, and have resided here since 1864 with the exception of about 15 months, and continuously for since 1874.

Q. Have you paid a State or county tax within two years and one month before the election held on the 5th of November last which was assessed two months prior thereto?—A. I have.

Q. Did you vote at the election held for the borough of Philipsburg, on the 5th November last ; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

ALEX. WATSON.

DEPOSITION OF JOHN A. MULL.

Examined by J. G. LOVE :

Question. State your age and residence.—Answer. My age, 29 years ; my residence, Rush Township, Centre County, Pennsylvania.

Q. Are you acquainted with Frederick Dale of Rush Township?—A. I am.

Q. Has he been collector of State and county tax for Rush Township ; and if so, for what years?—A. I think for 1876, and I know he was 1877 and 1878.

Q. Did he at any time leave his duplicates in your possession, and authorize you to collect and receive any State or county taxes for him ; and if so, when?—A. He did leave his duplicate with me. I had the duplicate from the 20th of September, 1878, to, I think, the day before the election.

Q. State whether or not by virtue of this authority you collected and received for Mr. Dale State or county tax from Mr. John Stout, of Rush Township.—A. I did.

Q. When did Jno. Stout pay a State or county tax, and for what year was it?—A. It was on or before the 4th or 5th day of October, 1878.

Cross-examined by J. L. SPANGLER :

Q. State whether you regard yourself as a subcollector of State and

county taxes to Fred. Dale of Rush Township.—A. He authorized me to collect taxes on the duplicates he gave me.

Q. Was the authority to collect and receive for the collector of Rush Township verbal or written?—A. He sent the duplicates down with his son, and wrote a letter and sent with him stating that I should collect the taxes for him until he came for the books; he also told me verbally; and that is all the authority he gave me.

Q. What kind of receipts did you issue to those who paid you taxes?—A. He sent me his receipt-book with the receipts signed by him, and the balance (that is, when they were all exhausted) I signed his name as collector by me; they were signed F. H. Dale, collector, per John A. Mull. The greater number of them were dates September 20 or 27, I am not sure which, and I think I changed some of the dated that were paid the 1st or 2d of October, or 3d, to the day they were paid. I filled in the name of the person who paid the tax at the time he paid it, and the amount, and I stated whether it was State or county tax.

Q. How many of those receipts did you get from Collector Dale?—A. I cannot tell you that; I did not count them. All that I signed had F. H. Dale, collector, per John A. Mull.

Q. Estimate the number of tax-receipts which you received from Tax-Collector Dale, signed F. H. Dale, collector, and dated September 20 or 27, 1878.—A. I think fifteen would cover the number signed by him individually.

Q. Estimate the number of tax-receipts which you issued and signed F. H. Dale, collector, per John A. Mull.—A. I suppose I issued twenty-five or thirty, and all that paid me are marked paid in his duplicates. I don't think I missed one.

Q. Did you continue to collect and receive taxes for Collector Dale from September 20, 1878, to the day before the election?—A. I collected taxes from the time I received the duplicates, 20th or 27th of September, until October 5, 1878, was the last I collected before the election. I don't think I collected any on Monday.

Q. Did you give any receipts for taxes signed either F. H. Dale, collector, and dated by him, or signed by yourself F. H. Dale, collector, per John A. Mull, and also dated by you, after October 5, 1878?—A. I have given receipts since October 5, 1878, signed F. H. Dale, collector, by John A. Mull. Those receipts were given by written authority, and the amounts of taxes, State and county, for the years they were intended stated in the written authority. I have no recollection of giving out any receipts after the 5th of October signed by him F. H. Dale, collector.

Q. State how many tax-receipts you issued after October 5, 1878.—A. I don't recollect whether I issued any tax-receipts between October 5 and the election of November, 1878; if I did, they were by his authority written.

Q. State whether or not you gave to any persons tax-receipts after October 5, 1878, by direction or authority of Collector Dale, no matter by whom signed or dated.—A. I don't recollect. I certainly have.

Q. State whether you gave out any tax-receipts to any persons after October 5, 1878, and November 5, 1878, by direction of Collector Dale; did you give such receipts between those two dates, October 5 to November 5?—A. I am not certain whether I did between those two dates (October 5 to November 5). I gave some receipts out after November 5.

Q. Will you swear that you did not give a receipt or receipts to any person or persons, no matter how signed or when dated, between October 5, 1878, and November 5, 1878?—A. I could not answer any better than I have answered before.

Q. What is your best recollection on the subject?—A. My best recollection is I do not recollect whether I did or did not.

Q. When did you settle the taxes with Collector Dale which you had received from tax-payers or party managers up to October 5, 1878?—A. To the best of my knowledge I made out the check on the 5th of October, 1878, for the amount I had received.

Q. Have you that check?—A. I think I have. The check has been paid.

Q. When did you hand it over to Collector Dale?—A. When he called for it.

Q. State the time.—A. I cannot do that.

Q. Was it on or after October 5, 1878?—A. After.

Q. How long?—A. I cannot tell.

Q. Did that check include the tax for John Stout?—A. It did.

Q. When did John Stout pay you his taxes?—A. It was on or before October 5, 1878.

Q. Did he pay it himself?—A. He brought shingle bolts to us (Jones, Allport & Co.), and I paid him for bolts less the taxes, by his instructions.

Q. When did he deliver the bolts?—A. The bolts were in the yard before they were paid for.

Q. Did you hand over the duplicate or duplicates to Collector Dale on the day of the election?—A. It was the day before—I think it was the day before.

Q. State your politics.—A. I am a Republican.

Redirect examination by J. G. LOVE, Esq.:

Q. Where does Fred. Dale, collector, live in Rush Township?—A. He lives in Rush Township, about one mile from Osceola, or about five miles from Philipsburg, in the woods.

Q. Where is your place of business?—A. Philipsburg.

Q. State whether or not Mr. Dale, collector, left his duplicates with you as a matter of convenience to tax-payers?—A. He did.

Q. State whether or not you collected and received taxes for him from both Democrats and Republicans and Greenbackers.—A. I did, from any persons that wanted to pay their taxes.

Q. Did the receipts that you gave out and issued for Collector Dale correspond in date with the time of the payment of the taxes?—A. They did, as near as I can recollect.

Q. Did you give out any receipts to any person or persons whose names or name did not appear on the duplicates of Collector Dale, charged with a State or county tax, and who did not pay the same?—A. I did not give out any receipts to any persons whose names did not appear on the duplicate or sixty-day list, and who did not pay the tax.

Recross-examination by J. L. SPANGLER, Esq.:

Q. Did any person pay you any taxes between October 5, 1878, and November 5, 1878?—A. I don't recollect.

JNO. A. MULL.

DEPOSITION OF EDWARD DILL.

Examined by D. L. HASTINGS:

Question. State your age and residence.—Answer. My age, thirty-seven years. My residence is Rush Township, Centre County, Pennsylvania.

Q. State whether or not you paid the taxes of Ed. Brookens, of Rush Township; and, if so, when, and to whom did you pay the same?—A. I did pay his taxes on the 3d day of October, 1878, to Fred. Dale, collector.

Q. State whether or not Ed. Brookens gave you the money to pay his taxes and requested you to pay them; and, if so, how long before you paid the taxes did he give you the money?

(Counsel for contestant objects to the question because it is leading.)

A. He gave me the money about thirteen days before I paid the taxes. He requested me to pay the taxes.

Q. State whether or not you paid the taxes of James Keith—I mean State and county taxes; and, if so, when?—A. I paid his taxes October 3, 1878.

Q. To whom did you pay them?—A. Fred. Dale, collector.

Q. State whether or not you paid the State and county taxes of Robert M. Keith; and, if so, when?—A. I did pay his taxes same day, October 3, 1878.

Q. To whom did you pay them?—A. Fred. Dale, collector.

Q. State whether or not you paid the taxes of John Rose, of Rush Township—I mean State or county tax.—A. I did, on the 3d day of October, 1878.

Q. To whom did you pay them?—A. Fred. Dale, collector.

Q. State whether or not you were requested to pay the taxes of John Rose, and by whom.—A. Mr. Rose came to me and gave me 5 cents, and asked if I couldn't lend him the money to pay the balance. I told him I would pay his taxes, and the next time I saw him he paid me back the money.

Q. What was the amount of his tax, if you remember?—A. I can't remember exactly. I think it was 10 cents—not over 15 cents.

Q. State what you know about his age and mental condition.—A. He's pretty old man, and I think him a little childish.

Q. State what you know about his being a temperate or intemperate man.—A. He drinks a little once and a while when he gets away from home. One or two drinks will make him foolish.

Cross-examined by J. L. SPANGLER :

Q. Where did you pay the taxes you have mentioned over to Collector Dale?—A. I offered to pay him in the field where he was harrowing in wheat; he told me to keep the money, and he would bring me the money the next day, and he brought them on the next day, and I paid him the money.

Q. Where did he bring the tax receipts to?—A. To my house.

Q. What was the amount of the tax of Ed. Brookens, James Keath, Robert M. Keath, and Jno. Rose?—A. Ten or fifteen cents apiece; not over that.

Q. How much money did you give Collector Dale?—A. Somewheres in the neighborhood of two dollars. I can't remember exactly.

Q. How many tax receipts did you get?

(Counsel for contestee objects to the question, for the reason that the witness has only been interrogated in chief as to the taxes and tax receipts of Ed. Brooken, James Keith, Robert M. Keith, and John Rose, and it is not proper cross-examination, and the witness has no right to answer on cross-examination any questions about any tax receipts except the ones for the persons above named.)

Counsel for contestant instructs the witness on the stand to answer no question on cross-examination but such as he, the witness, in his

judgment and opinion, under instruction of counsel for contestee, believes to be proper and legitimate cross-examination, thereby making the witness the committee to determine what is and what is not cross-examination. The above statement is placed upon these notes by J. L. Spangler, counsel for contestant.

Counsel for contestee hereby requests the witness on the stand to answer any and all questions touching the taxes, tax-receipts, and legal qualifications of Ed. Brookens, James Keith, Robert M. Keith, and John Rose, these being the only persons about whom he has been examined in chief; and counsel for contestee hereby instructs the witness not to answer any questions touching the taxes, tax-receipts, or legal qualifications of any other persons, because such answers are not proper cross-examination. The above statement made by D. H. Hastings, of counsel for contestee.

Counsel for contestee has interrogated the witness in reference to the payment to Collector Dale of the taxes for a certain number of persons. On cross-examination, counsel for contestant has asked the witness the following question, "How many tax-receipts did you get?" Counsel for contestant submits that the question is proper on cross-examination, and as the witness is made the judge as to what is and what is not cross-examination, propounds to the witness the following question: How many tax receipts did you get from Collector Dale at the time you got the receipts for the persons hereinbefore named by you? and state if this question is proper or improper on cross-examination. Counsel for contestee: That question as a whole is a very improper one.)

A. I don't know how many receipts I got. I can't recollect. I paid for all I got.

Q. State about how many you got.—A. About 15 or 16 I got.

Q. Just state the names of the persons for whom you got the receipts.—A. I don't remember.

Q. Did you get receipts at the rate of 10 or 15 cents apiece for the value of \$2?—A. I can't remember the amount I paid, but the most of them were 10 cents apiece.

Q. Tell us as near as you can how many you got at 10 cents apiece. (Counsel for contestee objects to the question, because its form is improper, and should be as follows: Tell us as near as you can for how many persons you paid the taxes whose tax was assessed at 10 cents apiece.)

A. I don't remember how many.

Q. How were the receipts made that you got at that time?

(Counsel for contestee objects to the question, for the reason that the witness has only been asked as to the tax-receipts of the four persons above named, and any questions about any other tax-receipts is improper cross-examination.)

A. They were a printed form; the dates were all on the receipts; the names was on some of them, a majority of them. Mr. Dale stated that he was a poor writer, and read off the names to me to write on the receipts.

Q. How many receipts were not filled out by you at that time?

(Counsel for contestee objects to the question because it is improper cross-examination.)

A. I could not tell that.

Adjourned to meet at 1 o'clock this p. m.

Met as per adjournment this p. m.

D. H. Hastings and J. G. Love, esqs., appear as counsel for contestee, and J. L. Spangler and W. C. Heinle, esqs., as counsel for contestant.

EDWARD DILL recalled for cross-examination by counsel for contestant:

Q. State if you obtained any receipts at that time which did not have the names of any persons written in?—A. The receipts I got at that time had the names written in except those I wrote in myself at that time by Fred Dale's orders.

Q. State the time when you received these receipts?—A. On the 5th of October, 1878.

Q. Was Fred Dale present when you wrote the names of persons in the receipts for whom they were intended?—A. He was; he had the list of the persons for whom I wanted tax receipts.

Q. Did you get other receipts from Fred Dale before or after the time you mention?—A. Not for that year; I got receipts from him for 1877.

Q. On what day of the week did October 5, 1878, come?—A. Sunday.

Q. Was it on Sunday that you saw Fred Dale at your house?—A. I saw him first on Friday the 3d, and he brought the receipts to my house on Sunday following the Friday before.

Q. Was it on that day, Sunday, that you gave Collector Dale a list of the persons for whom you wanted to pay?—A. No, sir; I gave it to him on Friday preceding the Sunday.

Q. Did you get any receipts from him on Friday?—A. I did not; he promised then to bring them over.

Q. Did you give him the money on Friday or on Sunday?—A. I handed him the money on Friday, and he told me to keep it until he brought the receipts, that that was all right; I gave it to him on Sunday when he brought the receipts.

Q. How much money did you give him on Sunday?—A. About \$2.

Q. About how many receipts could you get at the rate of 10 cents apiece?

(Counsel for contestee objects to the question for the reason that it asks the result of an arithmetical calculation and is improper in form. The question should be, How many receipts did you get on which the amount of taxes was 10 cents each?)

A. For \$2 I suppose I could get twenty receipts—10-cent receipts.

Q. State how many 10-cent receipts you did get?—A. I cannot tell you that; I told him before that I got some fifteen receipts in all. I cannot tell how many of them, how many were 10 cents or how many were 15 cents.

Q. Did you and the collector make out these receipts on Sunday?—A. I cannot say what the collector did; he had the receipts made out, a majority of them. I did not make any receipts out; I only wrote a few names on them as he dictated.

Q. To whom did you give the fifteen or sixteen receipts that you obtained from the collector at that time?—A. I cannot remember all their names.

Q. Did you obtain them for Democrats, Republicans, or Greenbackers?—A. I obtained some of them for Greenbackers and Democrats. I do not know whether I gave any to Republicans or not.

Q. State what Democrats you furnished with receipts?—A. James Dixon was one; I do not know whether any others or not; I suppose I did; I could not state positively.

Q. State the names of the Greenbackers to whom you gave receipts?—A. Ed Brookens, John Rose, James Keith, Robt. Keith, Pat Vail, and others. I can't go over the whole list.

Q. When did you give the tax receipt to Ed Brookens?—A. The first day I saw him after I had it.

Q. How long before the election of November 5, 1878?—A. Not further than a week after I got it.

Q. When did you give a tax receipt to James Keith?—A. I sent it to him by another man.

Q. By whom did you send it?—A. By Kennedy.

Q. Had James Keith paid you any money?—A. He did not, but told me to get him a receipt.

Q. Has he paid you back?—A. No; he never did, or never promised to. The same thing as to Robert M. Keith.

Redirect examination by JAMES LOVE:

Q. You have stated in your cross-examination that you handed to Collector Dale, on Friday, October 3, 1878, the money to pay the taxes for the list of persons for whom you wanted the receipts. Was the money that you handed him on the 5th of October the same that you tendered him on Friday, October 3, 1878?—A. It was the same identical money.

Q. You have stated in your cross-examination that when the collector brought you the tax receipts on the 5th of October the majority of them were all filled up. State whether or not they were all dated and signed at the time he brought them.—A. They were.

Q. What was the date of the receipts that you obtained from Collector Dale?—A. I cannot tell what the date was, I don't remember.

ED. DILL.

DEPOSITION OF D. H. BARTOE.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age, 37 years; my residence is Rush Township, Centre County, Pennsylvania.

Q. Did you vote at the election held for Rush Township on the 5th of November last?—A. I did.

Q. For whom did you vote for Congress?—A. Andrew G. Curtin.

Cross-examined by J. L. SPANGLER:

Q. From whom did you get your ticket?—A. I made it myself, the one I voted.

Q. What time in the day did you vote?—A. I cannot be positive as to the time; to the best of my knowledge it was in the forenoon before dinner time.

Q. How long have you resided in Rush Township?—A. I moved to Rush Township in the fall of 1877.

Q. Have you resided there ever since?—A. I have.

Q. Please state when and where you were born?—A. I was born at Haumah Furnace, in Centre County, in 1841, on 22d December, according to my father's say-so.

Q. Had you resided one year in the State and two months in Rush Township immediately preceding November 5, 1878?—A. I was a resident of the State for one year, and two months a resident of Rush Township before that election.

Q. Had you paid a State or county tax within two years preceding that election?—A. I didn't, but I had it paid for me, and have the receipt to show that it was paid.

Q. Who paid it for you?—A. Thomas Dunkle.

Q. When was it paid?—A. It was paid on October 2, 1878.

Q. Did you direct Thomas J. Dunkle to pay your tax?—A. I did. I asked him to pay my tax for me and he said he would.

Q. When did you have this conversation with Thomas J. Dunkle?—A. It was before the sixty-day assessment.

Q. Where did you have this conversation?—A. Him and I was working at the Sterling chutes loading a car with lumber. I asked him to pay my tax and get my receipt, and he said he would.

Q. For whom did you work at that time?—A. Thomas Dunkle.

Q. Is the following a copy of your receipt?

“RUSH, Oct. 2, 1878.

“Received of David Bartoe ten cents, county tax, $\frac{100}{100}$ dollars, for 1878.

“F. H. DALE, Col.”

A. It is the receipt that I got for my taxes.

Q. Did you vote at the election in the fall of 1877?—A. I did not vote in 1877.

Q. Do you know whether your name was on the register in Rush Township for 1878?—A. I don't know; I cannot say whether it was or was not. The assessor was at Powelton. I was in the office when he was there assessing. I can't say whether he got my name or not.

Redirect examination by J. G. LOVE:

Q. Did you pay a State or county tax for the year 1877; and, if so, to whom did you pay it?—A. I did not pay any.

Q. When did you get this receipt dated October, 1878, from Thomas J. Dunkle?—A. Well, I suppose it was on the 5th, 1878; the day of the election.

D. H. BARTOE.

DEPOSITION OF LEWIS FIKE.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, fifty-five years; my residence is Rush Township, Centre County, Pennsylvania and have been living there for the last eleven years.

Q. Did you vote at the election held for Rush Township on the 5th of November last?—A. I did.

Q. For whom did you vote for Congress?—A. I voted the Democratic ticket out and out, and voted for A. G. Curtin for Congress.

Cross-examined by J. L. SPANGLER:

Q. State when and where you were born.—A. I was born near Bellefonte, Pennsylvania; I am fifty-five years old.

Q. State whether you paid a State or county tax preceding the election of November 5, 1878?—A. I did not pay it myself two years ago, and last year Jack Nason paid it for me.

Q. How did he come to pay it?—A. I was talking to him about some money to pay my tax, and there were several of them by, and he says, “I'll pay your tax and get you a receipt.”

Q. When did you have this talk with Jack Nason?—A. Two months before the election, out at his place.

Q. State whether you worked for him at the time.—A. I was working for Daniel Butler at the time.

Q. Did you have a tax receipt when you voted?—A. Yes, sir.

Q. When did you get it?—A. I got it on the day of the election.

Q. When, to the best of your knowledge, was your tax paid for 1878?—A. I could not just tell you when it was paid.

Q. Did you and Nason have an agreement by which he, Nason, would pay your tax?—A. When he and I was talking about it he said, “I will

pay your tax." I said, "All right." This was two months before the election of 1878.

Q. Have you that tax receipt in your possession?—A. It is in my possession at my house; I have it at home.

Q. Did you vote at the election in the fall of 1877?—A. Yes, sir. I haven't missed an election, spring or fall, since I have been here.

Q. Did you vote at this spring election, February, 1879?—A. I did.

Q. Did you show the same tax receipt at the spring election on which you voted at the fall election?—A. They did not require me to show a tax receipt at the spring election.

Q. State whether or not Ed. Dill was on the election-board at the election held November 5, 1878?—A. When I went to the window to vote he (Ed. Dill) handed me the receipt, and then he took my ticket.

Redirect examination by J. G. LOVE:

Q. Did you get a tax receipt from Jack Nason last fall?—A. No, not from Jack.

LEWIS FIKE.

DEPOSITION OF FRED DALE.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age is 50 years; my residence is in Rush Township, Centre County, Pennsylvania.

Q. State whether or not you were collector of State and county taxes for Rush Township; and, if so, for what years?—A. I was collector for the years 1876, 1877, and 1878.

Q. Are you acquainted with M. Brewer?—A. Yes, sir.

Q. Does he stand assessed with a tax on your duplicates for the years 1876 and 1877?—A. He does not.

Q. Does he stand assessed with a tax on your duplicate for the year 1878?—A. He does.

Q. Has he paid you a State or county tax for the year 1878?—A. No; I never received any tax from him.

Q. Do you know Smith Baldin?—A. I do.

Q. How long has he lived in Rush Township?—A. He is on all my county duplicates.

Q. Is he assessed with State or county tax for the years 1876, 1877, and 1878?—A. He is on all of them.

Q. Has he paid you a State or county tax for either or any of those years?—A. I never could get any tax out of the man; he has not paid any.

Q. Are you acquainted with Lewis Fike?—A. I know the man when I see him, that's about all.

Q. How long has he been living in Rush Township?—A. I have heard of them for several years, and can't say positively how long they have lived here.

Q. Has he paid you a State or county tax for either or any of the years 1876, 1877, or 1878?—A. I never received any money from any of the Fikes that I remember of, and he has never paid any taxes to me.

Q. Has any person else paid his State or county taxes to you for either of those years?—A. No, sir.

Q. Are you acquainted with Michael Moyer?—A. I am not.

Q. Does his name appear upon your duplicates for the years 1876, 1877, and 1878, or either of them?—A. His name is on the 1876 duplicate. I cannot find him on the 1877 or 1878.

Q. Has he paid you a State or county tax for either of those years?—A. He has not.

Q. Has any person paid his State or county tax to you for either of those years?—A. Not that I know of; I don't recollect getting any from him.

Q. Are you acquainted with David Bartoe?—A. No, sir; I am not acquainted with him.

Q. Does his name appear on any of your duplicates or sixty-day list for the years 1876, 1877, or 1878?—A. No, sir; I can't find his name on the duplicates or the sixty-day list.

Q. Has he ever paid you a State or county tax?—A. He has not.

Q. Has any person else paid you a State or county tax for him?—A. I have never heard the name mentioned. No one has ever paid me a State or county tax for him.

Q. Are you acquainted with Thomas Cameron?—A. Yes, sir.

Q. How long has he been living in Rush Township?—A. His name is on the 1876, 1877, and 1878 duplicates.

Q. Has he paid you a State or county tax for either of the years 1876, 1877, or 1878?—A. I don't recollect of ever getting money from Cameron for tax.

Q. Has any person paid you a State or county tax for him for either of those years?—A. Not that I can recollect.

Q. Are you acquainted with James Holes?—A. I have seen the man, I ain't acquainted with him.

Q. How long has he been living in Rush Township?—A. I do not know.

Q. Does his name appear upon any of your tax duplicates for the years 1876, 1877, or 1878?—A. His name is on the duplicate for 1877 and 1878, but not on his duplicate for 1876.

Q. Has he paid you a State or county tax for either of the years 1877 or 1878?—A. No, sir.

Q. Has any person paid you his State or county tax for either of those two years?—A. Not that I recollect of.

Q. Are you acquainted with John McCord?—A. Yes, sir, I am.

Q. How long has he lived in Rush Township?—A. I suppose some eight or ten years, to the best of my knowledge.

Q. Has he paid you a State or county tax for either of the years 1876, 1877, or 1878?—A. Yes, he paid me tax.

Q. When and for what years?—A. He paid me his county tax on the day of election on the 5th of November last.

Q. Has he paid you his State or county tax for the years 1876 or 1878?—A. I think he paid his tax for the year 1876; he has not paid me his tax for the year 1878.

Q. When did he pay you his State or county tax for the year 1876?—A. It was about the beginning of the year 1877.

Cross-examined by J. L. SPANGLER:

Q. Please produce your duplicates for the years 1876, 1877, and 1878, together with the sixty-day list for 1876, 1877, and 1878?—A. I have not got my duplicate coat on to-day—I mean the one in which I carry my duplicates—and I have not got them with me.

Q. Are you acquainted with M. Brewer?—A. I am.

Q. Did he vote at the election of November 5, 1878?—A. I was told he did.

Q. Did the board require everybody to produce a tax-receipt or qualify to the payment of a tax?—A. They pretended to do so.

Q. Did they carry out this rule with all the voters, so far as you know?—A. I believe they did.

Q. Did you see M. Brewer vote?—A. No, sir.

Q. Is he assessed on your duplicate for 1877?—A. He is not.

Q. Was he living in the township in 1877?—A. No, sir.

Q. Do you know where he was assessed in 1877?—A. In the borough of Philipsburg I suppose.

Q. Do you know whether he paid his State or county taxes for 1877 to the collector for the borough?—A. I do not.

Q. State whether he was assessed in the borough of Philipsburg for the year 1878.—A. He was assessed in the township for the year 1878.

Q. How long have you known Smith Baldin?—A. Three years.

Q. Were his taxes for 1878, on your duplicate, paid, and if so, by whom?—A. They are not paid, or they would be marked paid.

Q. Did anybody pay them for him either to yourself or to others who were receiving taxes for you?—A. Not that I recollect of.

Q. Did he vote at the spring election of 1879?—A. I believe he did.

Q. Were you acting as a member of the election board which held the election on February 18, 1879?—A. I was one of the inspectors.

Q. What proof did Smith Baldin make of his right to vote at the last election?—A. I believe there was no questions asked.

Q. Did Thomas J. Dunkle ever pay you any taxes for Smith Baldin?—A. Not that I know of.

Q. What proof did Smith Baldin make of his right to vote at the election of November 5, 1878?—A. There was not any questions asked him.

Q. If Thomas J. Dunkle gave Smith Baldin a receipt for either of the taxes for 1876, 1877, or 1878, state if such receipt would be a payment to you.—A. I would consider it a payment to me.

Q. If Thomas J. Dunkle gave a receipt to Lewis Fike, state if you would consider it a payment to you.—A. If I could see the receipt it would. I don't know whether he gave him a receipt or not.

Q. Does David Bartoe have a receipt of payment of taxes to you for either 1876, 1877, or 1878?—A. He has one for 1878. If David Bartoe got a receipt from Thomas J. Dunkle I would consider it a payment to me.

Q. If Thomas Cameron holds a receipt for the payment of any taxes signed by me, state whether you would consider it a payment to yourself, no matter whether it was paid to Dunkle, Dill, or Mull.

(Counsel for contestee objects to the question for the reason, 1st, that it is improper to ask the question about what he considers, the witness having already testified that there had been no payment of Cameron's taxes.)

A. I would.

Q. State whether Thomas J. Dunkle received any taxes from taxpayers for you and paid them over.—A. He has.

Q. Can you give the names of those for whom Thomas J. Dunkle paid taxes to you in 1878?—A. Frank Beaty, Charles Beaty, Frank Edmundson, John Rosencranz, Jack Test, and a number of others; I cannot recall them all now.

Q. How long has Thomas Cameron lived in Rush Township?—A. Three years, to the best of my knowledge.

Q. Has he voted at that election, and if so, how often?—A. I have seen him there at three different elections. I seen him vote at one election.

Q. Did anybody pay you a tax for James Holes?—A. Not that I recollect of.

Q. If James Holes holds your receipt for the payment of taxes for 1877 or 1878, no matter who received the money for you, would you consider it a payment to yourself?—A. If my name is signed on the receipt by myself or John A. Mull, I would consider it a payment.

Q. If the following persons hold your receipt for the payment of the taxes for either 1876, 1877, or 1878, signed by yourself, or any person authorized by you to sign a receipt, to wit, M. Brewer, Smith Baldin, Lewis Fike, Michael Moyer, David Bartoe, Thomas Cameron, James Holes, and John McCord, state whether you would consider it a good payment of taxes, the same as if you had received it yourself.—A. I would consider it a payment to me, any receipt signed by me or John A. Mull.

F. H. DALE.

Adjourned to meet at 7½ o'clock this p. m.

Met as per adjournment at 7½ o'clock p. m.

D. H. Hastings, esq., appears as counsel for contestee, and J. L. Spangler, esq., as counsel for contestant.

DEPOSITION OF THOMAS CARTWRIGHT.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Thomas Cartwright; my age is 46 years; my residence is Rush Township, Centre County, Pennsylvania.

Q. Did you vote at the election for Rush Township held November 5, 1878?—A. I did.

Q. Have you any objection to state for whom you voted for Congress?—A. No, sir; I voted for A. G. Curtin.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878?—A. No; I had not.

Cross-examined by J. L. SPANGLER:

Q. Where were you working on November 5, 1878?—A. I was working at Morrisdale.

Q. For whom?—A. William H. Wigton.

Q. State whether Wigton paid the taxes of the men through the office.—A. No, sir; he did not; he did not pay mine.

Q. How long have you resided in Rush Township?—A. I have lived in Rush Township over eight years. I own a house and lot there, and live in it.

Q. How long have you voted in Rush Township?—A. I voted in Rush Township, I guess, over ten years.

Q. How long have you paid taxes in Rush Township?—A. I suppose about six years.

Q. Did you pay taxes anywhere else?—A. No, sir.

Q. How do you know that you voted for A. G. Curtin for Congress?—A. I think I got my ticket from Jack Nason, as near as I can recollect.

Q. Where did he give it to you?—A. He gave it to me at the corner of the school-house where I voted.

Q. What time in the day did you vote?—A. I think it was about two o'clock, as near as I can tell you.

Q. Can you read?—A. No, sir.

Q. Had you other tickets at the time Jack Nason gave you a ticket?—A. No, sir; I had no tickets at all.

Q. For whom did you vote for governor?—A. I don't recollect the man's name I voted for governor.

Q. For whom did you vote for lieutenant-governor?—A. I don't know; I can't read at all.

Q. Did you get persons to read the ticket for you?—A. I would get a ticket; I would ask the man to read it for me; when I got my ticket I went to the poll and stuck it in.

Q. Who was present when you voted?—A. Jack Nason was there; I guess there was no one standing close by but the board; when I went to put my ticket in, some one on the board asked me if I had paid my State and county tax; I told him I didn't know; I walked away from the window then; they said that Fred. Dale was there; Fred. Dale came to me and told me I could vote; Fred. Dale went up to the window, and said to the board, "Cartwright's vote is all right."

Q. Is Fred. Dale the tax collector for Rush Township?—A. Yes, sir.

Q. Did Fred. Dale go to the board and say, "Cartwright's vote is all right" before you voted?—A. Yes, sir; he did.

Q. Give the exact words which Dale used when he came to you and said, "You can vote."—A. He told me, "You can vote."

Q. If your taxes for 1878 or 1877 were paid by anybody else, you were not aware of it?—A. No, sir.

Q. Did you vote at the fall election in 1877?—A. No, sir; not as I recollect of.

Q. How long after you got the ticket from Nason did you vote?—A. I went right straight and voted.

Q. What did the board say about your taxes when you went there the second time to vote?—A. They did not say anything to me then.

Q. Did you vote the ticket which Nason gave you?—A. Yes, sir.

Q. Did he read it to you?—A. Yes, he read the ticket to me; I did not know what ticket to vote if he did not read it to me.

Q. You only know for whom you voted from the fact that Nason read you a ticket, do you not?—A. That's all I know, from what Nason told me; he read me the ticket.

Q. If he gave you a Curtin ticket, then you voted for Curtin?—A. If he gave me a ticket I wanted, I voted for Curtin for Congress.

his
THOMAS + CARTWRIGHT.
mark.

Attest:

W. E. IRWIN.

DEPOSITION OF ELIJAH ONLY.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Elijah Only; my age is fifty-seven years; my residence is Philipsburg Borough, Centre County, Pennsylvania.

Q. Are you acquainted with Reuben Freeman?—A. Yes, sir.

Q. How long have you known him?—A. I have known him between ten and eleven years; since he was a little boy.

Q. Did he ever board with you?—A. Yes, sir.

Q. How long ago did he begin boarding with you?—A. Last February two years ago.

Q. How long did he board with you?—A. He boarded with me up until last August.

Q. Where did he go then?—A. He went over to Wesley Johnson's on the other side of the creek.

Q. While he was at Wesley Johnson's, where did he sleep?—A. At his father's, as far as I know.

Q. Where was his father's place where he slept?—A. In Philipsburg Borough.

Q. Was he living with his father in Philipsburg Borough on the 5th of November last?—A. Yes, sir.

Q. Where did he have his washing done for six months or more before the election?—A. In the borough of Philipsburg.

Q. Do I understand you to say that he had been sleeping and having his washing done in the borough of Philipsburg for six months or more before November 5, 1878?—A. Yes, sir; he had been sleeping and having his washing done in the borough of Philipsburg for that time.

Cross-examined by W. C. HEINLE:

Q. What time in last August did Reuben Freeman leave your place and go to Clearfield—Clearfield County I mean?—A. I don't know exactly what day, but it was the fore part of August I think.

Q. Did he tell you where he was going when he left?—A. Yes, sir.

Q. Where did he say he was going?—A. Going to his sister's, Mary Johnson.

Q. What did he say he was going to do there?—A. He was going to stay over there a while, while he worked at Hoover's mill.

Q. Why did he leave your place and go to live with his sister in Clearfield County?—A. Because I wanted to repair my house and it was a little inconvenient for me to have him there, and he told me that he owed me \$6; that as soon as I had my house repaired he would come back and live with me, as it was so unhandy for me to live and work at the planing-mill.

Q. Did he take his clothes along with him to his sister's?—A. Yes, sir; he did.

Q. How long did he live with his sister, that is, up to what time?—A. I cannot say that.

Q. Where did he go to when he left his sister's?—A. To Wm. Jones's, right above my house.

Q. Where did he work after he came back to Wm. Jones's place?—A. At George Hoover's mill, at the planing mill, in the borough of Philipsburg.

Q. How do you know where Reuben Freeman slept?—A. I have got his word and his father's word for it.

Q. Where did he sleep when he boarded with you?—A. He slept in my house.

ELIJAH ^{his} + ONLY.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF T. L. SCEURMAN.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is T. L. Sceurman; my age, 43 years; my residence is Philipsburg Borough, Centre County, Pennsylvania.

Q. Were you a resident of Philipsburg Borough on the 5th of November last, and how long immediately before that time have you lived there?—A. I was a resident and have lived here for the last twelve years in said borough of Philipsburg.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election and for Seth H. Yocum for Congress.

THOS. L. SCEURMAN.

DEPOSITION OF W. G. BREADY.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, 41 years; my residence, Philipsburg Borough, Centre County, Pennsylvania, and have lived for nearly a year in the borough.

Q. Are you acquainted with Jackson Gorten; and, if so, what official position did he hold on or about the 5th of November, 1878?—A. I have had some acquaintance with him for something over a year, and he was constable of the borough about the 5th of November, 1878.

Q. State whether or not you were arrested some time in November, 1878.—A. Yes, sir; I was arrested on the 7th of November; it was on Monday before the election of November, 1878.

Q. By whom were you arrested?—A. By Jackson Gorten.

Q. Where were you taken to, and when?—A. I was taken to Bellefonte on Monday before the election.

Q. By whom were you taken to Bellefonte?—A. By Jackson Gorten.

Q. Where were you taken to in Bellefonte?—A. To jail.

Q. How long did you remain in jail?—A. As near as I can tell you, it was about two hours and a half.

Q. On what day were you released from custody?—A. It was on the same Monday I was put there.

Q. Did you return to Phillipsburg that same day; and, if so, by what conveyance?—A. I came to Port Matilda in the train, and from there in the stage,

Q. State whether or not Jackson Gorten returned with you on that train.

(Counsel for contestant objects to the question and all other questions preceding this one, because it is immaterial to the issue made by the notice and answer.)

A. Yes, sir; to Port Matilda.

Q. State whether or not you had a conversation with Jackson Gorten on the train; and, if so, state what it was.

(Counsel for contestant objects to the question because it is hearsay.)

A. We had some conversation on the road. He told me when I went home that I had best look out for other bail; and he told me if I would vote the right way that he would sacrifice his property and all he was worth if I would come and vote the Democratic ticket; he said that he knew Casanova would go with him to bail me and see me through with the scrape I had at court. He told me that I should keep it a secret and not to make it publicly known.

Cross-examined by J. L. SPANGLER:

Q. State with what you were charged.—A. I was charged with adultery.

Q. State who swore out the warrant against you.

(Counsel for contestee objects to the question because it is not proper cross-examination, and impertinent.)

A. I can't tell that exactly; I was told that it was Adam Walker.

Q. Were you tried at court November, 1878?—A. Yes, sir; I was tried.

Q. Who became your bail for your appearance at November court?—A. George H. Zeigler, of Philipsburg.

Q. Did he come to Bellefonte to enter bail for you?—A. I cannot answer that.

Q. Before whom did he enter bail?—A. I cannot say who.

Q. Who was on the train from Philipsburg, coming from Bellefonte to Philipsburg, besides yourself and Jackson Gorten?—A. I did not notice any one, except S. L. Callahan.

Q. Was George H. Zeigler the first and only bail you had?—A. That's the only one, I was told.

Q. Did you vote at the election of November 5, 1878?—A. Yes, sir; I voted.

Q. Have you any objection to saying for whom you voted for Congress?—A. Yes, sir; I have.

Q. Please state them.—A. I think a man can vote as he pleases, and can either tell it or keep it to himself.

Q. To what political party did you belong, November 5, 1878?—A. The one that I always belonged to.

Q. Which is that?—A. That I don't think I will tell.

Q. Why do you decline to tell?—A. I don't think it's any person's business.

Q. Are you a Democrat?—A. You will have to find that out.

Q. Are you a Greenbacker?—A. You will have to find that out.

Q. What time in the day did you vote?—A. Some time in the forenoon.

Q. Have you paid a State or county tax within two years preceding November, 1878?—A. Yes, sir; I have.

Q. To whom did you pay it?—A. Mr. E. O. Mattern.

Q. When did you pay it?—A. In September or the first of October, 1878.

Q. Where did you pay it to him?—A. In his office.

Q. Did you get a receipt from him?—A. Yes, sir; I got a receipt.

Q. Did you pay it yourself?—A. Yes, sir; I paid it myself.

Q. When Jackson Gorten told you that you should get other bail, and that he would sacrifice his property if you would vote the Democratic ticket, what, if anything, did you say to him?—A. I said I hadn't voted yet.

Q. Have you told us all that passed between you and Gorten in relation to your voting?—A. That was about all I told him in answer. He wanted to know how I voted. I told him that those who would be there would see.

Q. From whom did you get your ticket?—A. I got from different ones.

Q. Mention the name of those from whom you got tickets?—A. I can't do that; for some I don't know their names.

Q. State those you do know.—A. I got one from Abe Jackson, and Stockbridge handed me one.

Q. Who gave you the ticket that you voted?—A. That I won't tell.

Q. Why won't you tell?—A. I don't think I have any right to tell.

Q. How long have you lived in Philipsburg Borough?—A. Near about a year since I lived in the borough.

Q. Are you married or single?—A. I am married.

Q. When were you married?—A. Between ten and eleven years ago.

Q. Are you living with your wife at this time?—A. No, sir.

Q. Where is your wife living at this time, and where was she living October 5, 1878?—A. That you will have to find out. No, sir; I do not know.

Q. Are you or were you keeping house with your wife on November 5, 1878?—A. No, sir.

Q. Are you living with a woman now who is not your wife?—A. I have a woman keeping house for me.

Q. Is your wife living?—A. I can't say.

Q. Did you tell Harry Stockbridge that you had voted for Seth H. Yocum for Congress?—A. I don't think I did.

Q. Did you or did you not tell Squire Crissman that you voted for Seth H. Yocum for Congress?—A. I don't think I told any of them that I mind of.

Q. Did you or did you not show your ticket to Harry Stockbridge on the day of the election?—A. No, sir.

Q. Did you or did you not tell any person at any time for whom you voted for Congress?—A. That I ain't going to tell whether I did or not.

Q. Did you ever promise Jackson Gorten that you would vote the Democratic ticket if he would procure you new bail?—A. No, sir; I did not.

W. G. BREADY.

Adjourned to meet Monday, March 24, A. D. 1879, at 8 o'clock a. m.

Met, as per adjournment, at 8 o'clock a. m., Monday, March 24, 1879.

D. H. Hastings appears as counsel for contestee; S. L. Spangler and W. C. Heinle, esqs., appear as counsel for contestant.

DEPOSITION OF HENRY STOCKBRIDGE.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, thirty-five years; my residence, Philipsburg Borough, Centre County, Pennsylvania; and have lived here continuously for the last six years.

Q. Have you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Philipsburg Borough held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Are you acquainted with Alton Nelson, Rev. H. C. Pardoe, S. J. Pardoe, William Shelow, William Wilson, Adam Walker, Frank Dixon, William Dixon, Thomas Hanlin, J. B. Laporte, Henry Linthurst, Orlando Weston, William Yingling, Daniel Ayres, E. C. Blackburn, B. Crabtree, Milligan Blake, O. P. Galer, David Kinkade, L. G. Kessler, S. F. Lytle, E. W. Hale, Henry Imboden, Thomas Jackson, Austin Atherton, J. L. Buzzell, A. W. Adams, R. D. McKinney, Millard Pightal, Oscar Runk, Thomas H. Switzer, J. A. Walters, J. H. Huffington, C. C. Holder, William Lloyd, Frank Lewis, W. C. Lehr, Joseph M. Way, W. T. Olewine, John Gonder, Owen Hancock, D. H. Parkér, James Blair, Scott Erb, James Brown, H. A. Campbell, John Erb, J. W. Blackburn, E. P. McCormick, J. F. Plummer, Charles Lego, J. H. Peirce, Charles Long, Peter Cushard, John McCloskey, and William E. Irwin?—A. I am acquainted with them.

Q. State whether or not the persons you have named above were qualified electors of Philipsburg Borough on the 5th of November, 1878.—A. I have every reason to think they were.

Q. Had they been residents and legally qualified citizens of Philipsburg Borough for at least two months before November 5, 1878?—A. They had.

Q. Had they paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I think they had. To the best of my knowledge they had.

Q. Did they vote at the election for Philipsburg Borough held November 5, 1878; and if so, for whom did they vote for Congress?

(Counsel for contestant objects to the question because the witness is testifying as to how the before-mentioned parties voted for Congress entirely from hearsay and not of his own knowledge, and therefore it is not evidence as to how the parties mentioned before voted for Congress.)

A. They did vote at that election and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE :

Q. How do you know they voted for Yocum for Congress?—A. Because the most of them have told me so since the election, and what haven't told me so since the election are known Yocum men, and from conversation I have had with them left me under the impression they had voted for Mr. Yocum.

Q. In what way are the parties who have told you they voted for Yocum known Yocum men, as you say?—A. From their talk,

Q. From their talk since or their talk before the election of November, 1878?—A. Both before and after.

Q. Then you do not know of your own knowledge for whom they voted for Congress, do you?—A. I gave part of them their tickets and seen them deposit them in the window; the others I have explained before.

Q. Name the parties to whom you gave tickets?—A. J. H. Huffington, Wm. Lloyd, Scott Erb, Alfred Johnston, J. W. Blackburn, Wm. Yingling, Oscar Runk; those are the only parties that I gave tickets to that I can recollect on this or above list.

Q. Where did you give them the tickets?—A. At the polls.

Q. What time during the day did they vote?—A. Between the hours of 7.30 a. m. and 7 o'clock p. m.

Q. To whom of these seven parties did you give the first ticket?—A. I do not recollect.

Q. What time during the day did J. H. Huffington vote?—A. I do not recollect.

Q. What time during the day did Wm. Lloyd vote?—A. About 4 o'clock p. m.

Q. What time during the day did Oscar Runk vote?—A. I cannot recollect.

Q. Can you recollect at what time any of these parties voted excepting Wm. Lloyd?—A. No, I cannot state the time.

Q. What reason can you give for knowing how these seven parties before mentioned voted for Congress, if you cannot state at what time during that day they voted, nor can tell which of these parties voted first or last?—A. The reason that I know that they voted for Mr. Yocum is, that I gave them tickets with Mr. Yocum's name on and see them deposit them at the window; and the reason that I cannot recollect the time that each man voted is, that I was at the polls all day and supplied a great many voters with tickets. I was giving tickets out all day and checking their names as they voted. It would be impossible now to give the exact hour that they were voted; besides, these men that I have mentioned are known to be Yocum men.

Q. Could these parties have had other tickets about them and you not know it?—A. They could.

Q. If either of them wanted to vote for Curtin for Congress, could he not have had another ticket prepared and vote it without your knowing it?—A. He might; but these parties came to me and asked me for tickets, which they would not have done had they their tickets prepared.

Q. Where and when were these seven parties you say you gave tickets to born?—A. I do not know.

Q. State, if you know of your own knowledge, to whom they paid a State or county tax thirty days before the November election, 1878, and within two years prior thereto?—A. I do not know of their paying such taxes only from the fact that the election board received their votes and the election board required all voters to show their tax receipts or be qualified to the same.

Q. Did these seven parties present tax receipts to the board or were they qualified to the payment of the same?—A. I do not remember which. I would not of seen them if they had been sworn.

Q. Did you see them present their tax receipts to the board?—A. I do not recollect.

Q. You stated that of the 56 persons in your list only 7 of them, to the best of your recollection, you gave tickets and saw them vote; then the balance of them, 49 in number, you do not know of your own knowledge for whom they voted, do you?—A. I know only that they voted for Mr. Yocum, for the reason that they are known to be Yocum men, and that the most of them told me that they had voted for Mr. Yocum, and I have every reason to believe that they did.

Q. About how many of these parties told you they voted for Yocum, and how many do you only presume did?—A. I would say that nearly all of them did tell me.

Q. Where and when was Rev. H. C. Pardoe born?—A. I don't know.

Q. Do you know whether H. C. Pardoe was registered and assessed in the burough of Philipsburg for 1878?—A. I do.

Q. Do you know whether he has paid any State or county tax thirty days before the November election, 1878, and within two years prior thereto?—A. I do.

Q. When and to whom?—A. In the year 1878, and more than one month previous to the election, and to Mr. E. O. Mattern.

Q. State when and where the 49 persons on your list, some of whom you say told you they voted for Yocum, and some you have every reason to believe did, were born?—A. I believe they were all born in the United States with the exception of Charles Long, whom I believe to be a foreigner; also H. A. Campbell I am not certain about.

Q. How do you know that all on your list were born in the United States excepting Charles Long and H. A. Campbell?—A. From the fact that the election board required all foreigners to show their naturalization papers before voting, where they had not been shown the number of times required by law. I do not know where any of them were born.

Q. When did Frank Lewis tell you he voted for Yocum for Congress?—A. He told me the day before the election that he was going to vote for Yocum; he did not tell me anything after the election.

Q. How do you know he voted for Yocum?—A. The only reason that I know is that he said he was going to.

Q. What conversation, if any, had you with Frank Lewis, about the candidate for whom he voted for Congress?—A. I asked him if he was going to vote for Mr. Hoyt for governor; he said he did not know that he would, but he thought he would vote for Mr. Mason. I said to him then that you will vote for Mr. Yocum and he said he would.

Q. Have you talked with him since in reference to the candidate for whom he voted for Congress since the election?—A. I have not.

Q. Did you pay a State or county tax for Frank Lewis for the year 1878?—A. I did.

Q. When did you pay it?—A. About the first of October.

Q. To whom did you pay it?—A. To E. O. Mattern.

Q. Did Frank Lewis authorize you to pay it?—A. I think he did. I gave him the receipt the day I paid it, and he paid me at that time.

HENRY STOCKBRIDGE.

J. H. WAGONER recalled on the part of contestee and examined by D. H. HASTINGS:

Question. Are you acquainted with Michael Moyer?—Answer. Yes, sir; I am.

Q. Where does he live, and how long has he lived there?—A. He lives in Rush Township, and has lived there for the last twelve years.

Q. Did he vote at the election for Rush Township held November 5, 1878?—A. I was informed that he did, by one of the inspectors.

Q. To what political party did he belong on the 5th of November last?—A. He has always been a Democrat, and one of the worst kind.

JOHN H. WAGONER.

Adjourned to meet at Bellefonte, Pa., on Tuesday, March 25, A. D. 1879, at 9 o'clock a. m.

Met as per adjournment, at Bellefonte, Pa., March 25, A. D., 1879, at 9 o'clock a. m., in the court-house.

D. H. Hastings, esq., appears as counsel for contestee, and J. L. Spangler and W. C. Heinle, esqs., as counsel for contestant.

DEPOSITION OF JOHN DAVID M'CASLIN.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. John D. McCaslin; my age is 21 years old on October 1, 1878, and reside in Milesburg Borough, and have resided there for the last three years.

Q. Where were you born?—A. I was born at Washington Furnace, Clinton County, Pennsylvania.

Q. Are you a citizen of the United States and of the commonwealth of Pennsylvania?—A. I am.

Q. Did you vote in Milesburg Borough on age on the 5th of November last; and, if so, for whom did you vote for Congress?—A. I did vote on age, and for Seth H. Yocum for Congress.

Cross-examined by D. F. FORTNEY:

Q. Were you registered two months before the election held on the 5th of November, 1878?—A. I do not know.

Q. Did you make an affidavit, partly printed and partly written, that you were a resident of the borough of Milesburg, and that you were between the ages of twenty-one and twenty-two years, before you voted?—A. Yes, sir; I did.

Q. By whom were you sworn?—A. I don't know rightly who swore me in.

JOHN D. ^{his} + McCASLIN.
mark.

Attest:

W. E. IRWIN.

DEPOSITION OF JOSEPH KILGORE.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Joseph Kilgore; my age, 33 years; my residence is Milesburg Borough, Centre County, Pennsylvania, and I have lived there for about five months before November 5, 1878.

Q. Where were you born?—A. I was born in Mill Hall, Clinton County.

Q. Are you a citizen of the United States and of the commonwealth of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, which had been assessed more than two months prior thereto?—A. I have.

Q. Did you vote at the election for Milesburg Borough held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by D. F. FORTNEY:

Q. Where did you live before you moved to Milesburg Borough?—A. I lived at Hecla Furnace, in Walker Township, Centre County, Pennsylvania.

Q. Who moved you from Walker Township, to Milesburg Borough?—A. James Kreps moved me.

Q. In what month and what time in the month did you move?—A. About the last of June, 1878.

Q. Did you not move on or about the 14th of September, 1878?—A. No, sir; I don't think I did; no, I did not.

Q. For whom did you work after you moved to Milesburg?—A. For Mr. McCoy, at the works, about two months before I moved.

Q. Where was your family during the two months that you worked at McCoy's, before you moved?—A. They lived at Hecla Furnace, in Walker Township.

Q. What time was it that you began to work for McCoy down here at the works?—A. It was about two months before—about the 1st of March, 1878.

his
JOSEPH + KILGORE.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF JAMES M. M'CULLOUGH.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is James McCullough; my age, I was born 10th June, 1857, in Centre County, Pennsylvania; my residence is Milesburg Borough, and have lived there for the last twelve years.

Q. On the 5th of November last were you a citizen of the United States and of the commonwealth of Pennsylvania?—A. I was.

Q. Where did you vote on the 5th of November, 1878?—A. In Milesburg Borough.

Q. State whether or not you signed and swore to a partly written and partly printed affidavit, setting forth your age, residence, &c.—A. I did.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

JAMES McCULLOUGH.

DEPOSITION OF JOSEPH S. BAIRD.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is Joseph S. Baird; my age, I was twenty-two years of age on the 20th of March, 1879; my residence is Milesburg Borough, Centre County, Pennsylvania, and have lived there for the last ten or twelve years.

Q. Where were you born?—A. In Luthersburg, Clearfield County, Pennsylvania.

Q. On the 5th of November last were you a citizen of the United States, and of the commonwealth of Pennsylvania?—A. Yes, sir, I was.

Q. Did you vote on age at the election for Milesburg Borough, held November 5, 1878?—A. Yes, sir, I did.

Q. State whether or not you signed and swore to a partly written and partly printed affidavit, setting forth your age, residence, &c.—A. I did.

Q. State whether or not any other person signed and swore to a similar affidavit, setting forth your age, &c.—A. Yes, sir; my father did.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Cross-examined by D. F. FORTNEY:

Q. Did you vote on age at the election held 5th November last?—A. Yes, sir; I did.

JOSEPH S. BAIRD.

THOMAS KLINE, being by agreement examined before William E. Irwin, notary public, instead of E. M. Blanchard, notary public, and being sworn and examined by D. H. HASTINGS, on the part of the contestee, deposeth as follows:

Question. State your name, age, and residence.—Answer. My name is Thomas Kline; my age twenty-two years, and my residence is Boggs Township, Centre County, Pennsylvania, and was born and raised in that township.

Q. On the 5th of November last were you a citizen of the United States, and of the commonwealth of Pennsylvania?—A. I was.

Q. Did you vote at the election for Boggs Township, held November 5, 1878, on age?—A. Yes, sir, I did.

Q. State whether or not you were assessed; and, if so, on whose duplicate.—A. I was on the duplicate of Jacob Walker.

Q. State whether or not you paid the tax assessed against you on the duplicate of Jacob Walker, collector.—A. Yes, sir, I did.

Q. How long before the election of November 5, 1878, did you pay it?—A. Something over a month. I cannot recollect just what time.

Q. Were you required by the election board of Boggs Township, when you voted that day, to sign and swear to any written or printed affidavits?—A. No, sir; I was not.

Q. State whether or not Jacob Walker, collector, was present at the time you voted.—A. Yes, sir.

Q. State what he said, if anything, about your taxes being paid.—A. Jacob Walker said the taxes was paid.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Cross-examined by D. F. FORTNEY :

Q. Can you read?—A. No, sir.

Q. Then you did not read your ticket before you voted?—A. No, sir.

Q. How do you know then for whom you voted?—A. My father read the ticket for me.

Q. You said you were twenty-two years of age; when were you twenty-two?—A. I don't remember just when.

THOMAS ^{his} + KLINE.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF GEORGE W. THOMAS.

Examined by D. H. HASTINGS, by agreement, before Wm. E. Irwin, notary public, instead of E. M. Blanchard, notary public.

Question. State your age and residence.—Answer. My age, 49 years; my residence is Benner Township, Centre County, Pennsylvania, and have lived there for the last three years.

Q. Where were you born?—A. Clearfield County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November, 1878?—A. I was.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. I had.

Q. Did you vote at the election for Benner Township held November 5, 1878; and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum.

GEO. W. THOMAS.

DEPOSITION OF JAMES B. SLIKER.

Examined by D. H. HASTINGS, before Wm. E. Irwin, notary public, instead of E. M. Blanchard, notary public, by agreement.

Question. State your age, name, and residence.—Answer. My name is James B. Sliker, and was born April 25, 1857, in Clinton County, Pennsylvania, and I now reside in Boggs Township, Centre County, Pennsylvania, and have lived there for about the last sixteen years.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November, 1878?—A. Yes, sir.

Q. Did you vote on age at the election for Boggs Township held November 5, 1878?—A. Yes, sir; I did.

Q. State whether you signed and swore to a partly written and partly printed affidavit setting forth your age, residence, &c.—A. I did.

Q. Did you give it to the election-board when you voted?—A. Yes, sir; I did.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

JAMES B. SLIKER.

DEPOSITION OF MILES P. HEATON.

Examined by D. H. HASTINGS :

Question. State your name, age, and residence.—Answer. My name is Miles P. Heaton; my age, 22 years; my residence is Marsh Creek, Boggs

Township, Centre County, Pennsylvania, and have lived there all my life but one year.

Q. When were you born?—A. February 28, 1857.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. I was.

Q. State whether or not you voted on age at the election for Boggs Township held November 5, 1878.—A. Yes, sir; I did.

Q. Was there any one with you, when you voted, who swore to your age?—A. Yes, sir; my father, Andrew Heaton.

Q. Were you and your father required by that election-board to sign and swear to any written or printed affidavits?—A. I believe not; not as I remember.

Q. Did the board require you and your father to sign or swear to any affidavits?—A. No, sir; I believe not; not to the best of my knowledge.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Q. State whether or not you saw the name of Seth H. Yocum on your ticket.—A. Yes, sir, I did; I read it.

Cross-examined by D. F. FORTNEY:

Q. You say you made no affidavit either written or printed; were you sworn by the election board and asked about your qualifications to vote on age?—A. I was sworn.

Q. Where were you sworn?—A. In Central City at the school-house, at the place I voted.

MILES HEATON.

DEPOSITION OF WILLIAM WOOMER.

Examined by D. H. HASTINGS, by agreement, contestant waiving the notice required by the "act of Congress."

Question. State your name, age, and residence.—Answer. My name, William Woomer; my age, fifty-four years, and my residence is Boggs Township, Centre County, Pennsylvania; and have lived there for the last seventeen years.

Q. Where were you born?—A. I was born in Schuylkill County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th day of November, 1878?—A. I was.

Q. Are you the father of Thomas P. Woomer?—A. Yes, sir.

Q. When and where was he born?—A. He was born on December 20, 1856, in Clearfield County, Pennsylvania.

Q. State whether or not he was a resident of Boggs Township on the 5th of November last, and how long immediately before that time had he lived there.—A. He was a resident of Boggs Township on the 5th of November, 1878, and has lived there for the last seventeen years.

Q. Did he vote at the election for Boggs Township held November 5, 1878?—A. Yes, sir; he did.

Q. Who testified to his voting on age at that election?—A. I did, myself, and so was my son.

Q. By whom were you and your son sworn?—A. By the election board; they called us inside.

Q. Did they give you any written or printed affidavits to sign?—A. No, sir; they did not.

Q. Who gave your son the ticket that he voted at that election?—A. I did.

Q. How long before he voted did you give him the ticket?—A. About half an hour.

Q. Whose name was on the ticket that he voted for the office of Congress?—A. Seth H. Yocum.

Q. How do you know that the name of Seth H. Yocum, for Congress, was on the ticket that he voted?—A. I saw his name on the ticket.

Q. Are you sure that your son voted the ticket that you gave him?—A. Yes, sir; I am sure.

Cross-examined by D. F. FORTNEY:

Q. You say you gave your son his ticket about a half an hour before he voted; how do you know, then, that he voted the ticket you gave him?—A. I gave him the ticket in Milesburg, and he had been with me all the time till we got to the election polls.

Q. Do you know whether or not your son's name was on the registry-list?—A. No, sir; I don't know.

WILLIAM WOOMER.

DEPOSITION OF DANIEL B. MALONE.

Examined by D. H. HASTINGS, by agreement, before William E. Irwin, notary public, instead of E. M. Blanchard, notary public.

Question. State your age and residence.—Answer. My age, forty-two years, and my residence is Boggs Township, Centre County, Pennsylvania; and have lived there for the last twelve years continuously.

Q. Are you acquainted with E. C. Poorman, E. I. Grafmire, John Dixon, George H. Shawley, Cornelius Freil, Hugh Sharp, Thomas Poorman, John Gormany, Johnson Warner, Martin Haines, and Charles Smoyer?—A. I am acquainted with them.

Q. Did they vote at the election for Boggs Township held November 5, 1878?—A. I believe they all did; yes, they all voted to my knowledge, except George H. Shawley; I am not sure about him.

Q. State the politics of these persons?—A. I believe them to be all Democrats.

D. B. MALONE.

Adjourned to meet at half past 1 o'clock this p. m.

Met, as per adjournment, at half past 1 o'clock this p. m.

Adjourned to meet at half past 8 o'clock a. m., Wednesday, March 26, A. D. 1879.

Met, as per adjournment, at half past 8 o'clock a. m., Wednesday, March 26, A. D. 1879.

D. H. Hastings, esq., appears as counsel for contestee and D. F. Fortney, esq., as counsel for contestant.

DEPOSITION OF WM. H. BING.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is William H. Bing; my age, thirty-two years, and my residence Spring Township, Centre County, Pennsylvania, and have lived there continuously for the last seven years.

Q. Where were you born?—A. Chester County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania, on the 5th of November, 1878?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I had.

Q. Did you vote at the election for Spring Township held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by D. F. FORTNEY:

Q. Was this tax-receipt given to you for the payment of taxes at the time it bears date?—A. Yes, sir; it was.

Q. Do you know whether or not your name was on the registry list for Spring Township?—A. I do not know. I had to get papers made out when I voted.

Q. Were you in Spring Township two months prior to the day of the election?—A. I was.

W. H. BING.

DEPOSITION OF WILLIAM P. WILSON.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is William P. Wilson; my age, forty-four years, and my residence is Spring Township, Centre County, Pennsylvania, and have lived there continuously for the last five years.

Q. Where were you born?—A. Centre County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on November 5, 1878?—A. I was.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I had.

Q. Did you vote at the election for Spring Township, held November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by D. F. FORTNEY:

Q. To whom did you pay your State and county taxes and for what year were they paid?—A. I paid my taxes to the county treasurer, D. A. Musser, for the year 1877.

Q. When did you pay it?—A. On the 5th of October, 1878.

Q. Where did you pay it?—A. In the county treasurer's office.

Q. Did he give you a receipt, and have you it with you?—A. He did give me a receipt, but I have not got it with me.

W. P. WILSON.

DEPOSITION OF NICHOLAS MIESS.

Examined by D. H. HASTINGS:

Question. State your age and residence.—A. My age, sixty-five years, and my residence Spring Township, Centre County, Pennsylvania. I have lived there continuously for the last thirty years, excepting one year (1874).

Q. Where were you born?—A. I was born in Spring Township, Centre County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th November, 1878?—A. Yes, sir; I was.

Q. Had you paid a State or county tax within two years and more

than one month before November 5, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I had. (Receipt shown.)

Q. Did you vote at the election for Spring Township held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum.

Cross-examined by D. F. FORTNEY:

Q. Was the tax-receipt given to you at the time it bears date, and were the taxes paid on that day by you to Swartz?—A. Yes, sir.

NICHOLAS MIESS.

DEPOSITION OF T. HARVEY WHITE.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, twenty-two years on the 25th of February, 1879; and my residence is Spring Township, and have lived there continuously for the last ten years.

Q. Where were you born?—A. In Mifflin County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on November 5, 1878?—A. I was.

Q. Did you vote at the election held in Spring Township, November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Did you sign and swear to a partly written and partly printed affidavit, setting forth your age, residence, &c.?—A. Yes, sir; I did.

Q. Did any person else sign and swear to a similar affidavit in your behalf?—A. Yes, sir; Mathew Riddle did.

Cross-examined by D. F. FORTNEY:

Q. The affidavit you made was to your age, was it not?—A. Yes, sir.

Q. Did any one else make an affidavit as to your age?—A. Mathew Riddle.

Q. How did Mathew Riddle know your age?—A. He knew me ever since I was a child.

T. HARVEY WHITE.

DEPOSITION OF WILLIAM H. CLOSE.

Examined by D. H. HASTINGS:

Question. Where do you reside?—Answer. In Benner Township.

Q. Are you acquainted with John Letterman?—A. I am.

Q. How long have you known him?—A. I have known him for the last sixteen years.

Q. How long have you known John Letterman to have been a resident of Benner Township?—A. For the last sixteen years.

Q. State the age of John Letterman as near as you can?—A. The age I could not say exactly, but suppose him to be about eighty years old.

Q. Did he vote at the election for Benner Township held November 5, 1878?—A. He did.

Q. For whom did he vote for Congress?—A. He told me he voted for Seth H. Yocum for Congress.

(Counsel for contestant objects to the question and answer, because it is not competent for the witness to testify to the declarations of another for the purpose of showing how such person voted; 2d, because, according to section 271 of McCrary on Election Laws, the testimony is hearsay.)

Q. Why is John Letterman not here to testify for himself?—A. He said on account of his old age and sickness he was not able to be out of the house, and could not come.

(Counsel for contestant objects to the above question and answer for the reasons just stated.)

Cross-examined by D. F. FORTNEY:

Q. All you know, Mr. Close, as to how John Letterman voted, is what he told you about it, is it not?—A. Yes; what he told me when I subpoenaed him.

Q. When did you serve the subpoena on him?—A. I don't remember when I served the first one; the last one I served on him on Saturday last, March 22, 1879.

Q. Do you know whether Mr. Letterman could read or not?—A. I don't know whether he can or not.

WM. H. CLOSE.

DEPOSITION OF ALBERT F. LANDIS.

Examined by D. H. HASTINGS:

Question. State your name and residence.—Answer. My name is Albert F. Landis, and my residence is Spring Township, Centre County, Pennsylvania, and have lived there continuously for the last fifteen years.

Q. What is your age?—A. I was twenty-one years old on the 6th of October, 1878.

Q. Where were you born?—A. In Reading, Pa.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. Yes, sir; I was.

Q. Did you vote on age at the election for Spring Township held November 5, 1878?—A. I did vote at that election.

Q. State whether or not you signed and swore to a partly written and partly printed affidavit setting forth your age, residence, &c.—A. I did.

Q. Who made out the affidavits for you and went with you to the polls to vote?—A. Mr. W. A. Tobias, "recorder," made out my affidavit, and Hon. C. T. Alexander went with me to the polls when I voted.

Q. For whom did you vote for Congress?—A. I did vote for Seth H. Yocum.

Cross-examined by D. F. FORTNEY:

Q. Did any other person make an affidavit as to your age or residence and your right to vote on that day, and before you voted?—A. No, sir.

A. F. LANDIS.

DEPOSITION OF JAMES SYMMONDS.

Examined by JOHN G. LOVE:

Question. State your age and residence.—Answer. My age, twenty-five years old on the 24th day of next May; my residence is Spring Township, Centre County, Pennsylvania, and was born there and have lived there all my life.

Q. Where were you born?—A. Spring Township, Centre County, Pennsylvania.

Q. Have you paid a State or county tax within two years and one month before the election held on the 5th of November last, which was assessed two months prior thereto?—A. Yes, sir, I have; and I paid a State and county tax in 1877.

Q. Did you vote at the election held in Spring Township, held on the 5th of November last?—A. Yes, sir; I did.

Q. For whom did you vote for Congress?—A. For Seth H. Yocum.

Cross-examined by D. F. FORTNEY:

Q. To whom did you pay the last State and county taxes that you have paid, and when did you pay it?—A. It was collected off me at Valentine's Works, at the office, for the year 1877. It was paid long enough before the election to entitle me to a vote last fall.

Q. The tax you speak of being paid for 1877, was it paid by Valentines, or by their clerk, to the collector?—A. I am not sure whether it was done by the clerk or the company.

Q. Had the amount of the tax for the year 1877 been settled for by you with them and deducted from your wages one month before the 5th of November, 1878?—A. I would not be certain whether it was one month or longer, and am not certain whether it was that long or not.

Redirect by J. G. LOVE:

Q. Were you in the employ of Valentines & Co.?—A. I was, and am still.

Q. Were your taxes, State and county, for the year 1877 paid by them for you?—A. Yes, sir.

Q. Did they charge the amount of the taxes to your account at the time they paid them?—A. Yes, sir.

JAMES SYMMONDS.

DEPOSITION OF MORDECAI BATHURST.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age, I was born January 16, 1853, and my residence is Bellefonte, Centre County, Pennsylvania.

Q. Where were you residing on the 5th of November last?—A. In Milesburg Borough.

Q. How long prior to the 5th of November last had you been residing there?—A. I lived there pretty nearly four years.

Q. Where were you born?—A. In Centre County, Pennsylvania.

Q. Have you paid a State or county tax within two years and one month before the election held on the 5th of November last which was assessed two months prior thereto?—A. Yes, sir.

Q. Did you vote at the election held in Milesburg Borough held on the 5th of November last?—A. Yes, sir.

Q. For whom did you vote for Congress?—A. For Seth H. Yocum.

Cross-examined by D. F. FORTNEY:

Q. You stated that you paid a State and county tax one month before and within two years prior to the 5th of November, 1878; when and to whom did you pay it?—A. I paid it to Robt. Shirk, collector of Milesburg Borough. I can't remember the time.

Q. For what year had this tax been assessed against you?—A. I think it was 1877, because I paid my tax in 1876.

his
MORDECAI + BATHURST.
mark.

Attest:

WM. E. IRWIN.

Adjourned to meet at 1½ o'clock this p. m.

Met as per adjournment at 1½ o'clock this p. m.

D. H. Hastings appears as counsel for contestee and W. C. Heinle, esq., as counsel for contestant.

DEPOSITION OF DANIEL SHILLING:

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is forty-five years, and my residence is Spring Township, Centre County, Pennsylvania, and have lived in Spring Township for the last year, and before that I lived in the borough of Bellefonte since 1870.

Q. Where were you born?—A. Centre County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. I was.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and had been assessed at least two months prior thereto?—A. I had.

Q. Did you vote at the election for Spring Township held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE:

Q. What time during the day did you vote?—A. I voted in the evening, between six and seven o'clock.

Q. Where did you get your ticket?—A. From James Alexander.

Q. Did you read over the names on your ticket before you voted it?—A. Yes, sir; I did.

Q. Did James Alexander tell you what kind of a ticket it was that he gave you?—A. No, sir; he did not.

Q. For whom did you vote for register?—A. That I can't tell you, for I don't mind. There was only two men that I voted for that I can mind of.

DANIEL SHILLING.

DEPOSITION OF GEORGE CHAPMAN.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is fifty-one years. I live in Spring Township, Centre County, Pennsylvania, and have lived there for the last two years.

Q. Where were you born?—A. Lycoming County, Pennsylvania.

Q. Were you a citizen of the United States and the commonwealth of Pennsylvania on the 5th of November last?—A. Yes, sir.

Q. Had you paid a State or county tax within two years and more than one month before the 5th of November, 1878, and which had been assessed more than two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Spring Township held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE:

Q. To whom did you pay your taxes, 1878?—A. I don't know to whom; Valentines paid them for me.

Q. When did they pay them?—A. I could not tell you that.

Q. To whom did you pay your State or county taxes in 1877?—A. I cannot tell you that either.

Q. Then you don't know of your own knowledge that you have paid any State or county taxes thirty days before the November election, and within two years prior thereto, do you?—A. No, sir.

Redirect examination by D. H. HASTINGS:

Q. Did you vote at the fall election of 1877?—A. Yes, sir; I think I have a receipt of that.

Q. Had you a receipt for the payment of your State and county tax for the year 1877?—A. Yes, sir; I think I have one at home.

Q. Were your taxes for 1877 paid through the office of Valentines' Iron Company?—A. No, sir.

Q. Where were your taxes for 1877 paid?—A. They were paid at the office of James H. Rankin, in Bellefonte, Pa.; he paid them himself and gave me the receipt.

Q. What time in the year 1877 was it that James H. Rankin paid your taxes and gave you the receipt?—A. I could not tell you; I think it was in the fall.

Q. Who informed you that your taxes for 1878 were paid?—A. Richard Thomas.

Q. Who is Richard Thomas?—A. The book-keeper at Valentines' iron works.

Q. When did Richard Thomas inform you that your State and county taxes for 1878 were paid?—A. The day of the election, if I recollect right.

Q. Are the taxes of the hands employed at Valentines' iron work paid through the office of the company?

(Counsel for contestant objects to the question, because the witness is no member of the firm of Valentines & Co., and has no knowledge of the business affairs outside of his own, and his answer would be mere supposition and no evidence.)

A. I could not tell whether they are or not.

Q. How do you know that your taxes were paid through the office of Valentines & Co.?—A. The tax collector never asked me for them, and Richard Thomas told me they were paid.

Recross-examination by W. C. HEINLE:

Q. Did you see Richard Thomas before or after you voted on the day of the election?—A. Before I came in to the election.

Q. Was it not in the fall of 1876 that your taxes were paid by James H. Rankin, or the man that was then in the office under the National Bank?—A. I think my receipt was for 1877, but I would not be certain.

GEORGE CHAPMAN.

DEPOSITION OF MORRIS HICKS.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, 28 years, and I live in Spring Township, Center County, Pennsylvania, and I have lived there for the last four years will be next month.

Q. Where were you born?—A. Tyrone, Blair County, Pennsylvania.

Q. Have you always lived in the State of Pennsylvania?—A. Ever since I can recollect.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. Yes, sir.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. My taxes were paid October 5, 1878.

Q. Did you vote at the election for Spring Township held November 5, 1878, and if so, for whom did you vote for Congress?—A. I did vote at that election, and for Andrew G. Curtin for Congress.

MORRIS HICKS.

DEPOSITION OF REUBEN MILLER.

Examined by D. H. HASTINGS:

Q. State your age and residence.—A. I was born in 1853, March 16, and my residence is Spring Township, Centre County, Pennsylvania, and have lived there all my life; and was born in Spring Township.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on November 5, 1878?—A. Yes, sir; I was.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. Yes, sir; I have.

Q. Did you vote at the election for Spring Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE:

Q. Who did you pay your taxes for 1878?—A. Valentines & Co. paid it.

Q. Do you know when they paid them?—A. They paid them in the fall; I don't know just when they paid them.

Q. When did you pay your taxes for 1877?—A. Valentines paid them, too.

Q. How do you know that these taxes are paid thirty days before the November election in 1878, and within two years prior thereto?—A. They took them off of my wages; they were paid before the election or else I could not of voted.

Q. Do you know whether these taxes were paid thirty days before the election?—A. Yes, sir.

Q. How do you know?—A. I know I paid them thirty days before the election to Valentines.

Q. Have you a receipt for the payment of these taxes?—A. Not for the two last years I have not; but I know they are paid.

Redirect by D. H. HASTINGS:

Q. Were your taxes for 1877 paid in the year 1877?—A. Yes, sir.

REUBEN ^{his} + MILLER.
mark.

Attest:

WM. E. IRWIN.

DEPOSITION OF GEORGE FLACK.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, I was born in 1856, and my residence is Spring Township, Centre County, Pennsylvania, and have lived there continuously for the last nineteen years.

Q. Where were you born?—A. Howardville, Centre County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. Yes, sir.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. Yes, sir; I have.

Q. Is the following a copy of your tax receipt for the year 1878?

“BELLEFONTE, PA., Oct. 5, 1878.

“Received from George Flack forty-two cents State and county tax 1878.

0.42

“D. A. MUSSER,
“Treas. Centre Co.”

A. Yes, sir.

Q. Did you vote at the election for Spring Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by W. C. HEINLE:

Q. When and from whom did you get this receipt?—A. I got it from Musser. I didn't get it until the day I voted. I had my taxes paid thirty days before the election.

Q. What time during the day did you get this receipt?—A. I got it in the afternoon.

Q. Was it before or after you voted that you got this receipt?—A. I got it before I voted.

Q. What day did you pay these taxes?—A. I don't know what day it was.

Q. Did you pay these taxes to Musser yourself?—A. Yes, sir; I did.

Q. Why didn't you take a receipt at that time?—A. He hadn't time to write it; he was going away.

Q. On what day of the week was it when you paid Musser?—A. Saturday evening.

GEORGE ^{his} + FLACK.
mark.

Attest:

WM. E. IRWIN.

Adjourned to meet at 8½ o'clock a. m. on Thursday, March 27, A. D. 1879.

Met as per adjournment at 8½ o'clock a. m. Thursday, March 27, A. D. 1879. D. H. Hastings, esq. appears as counsel for contestee, and D. F. Fortney as counsel for contestant.

DEPOSITION OF LEWIS HASSINGER.

Examined by D. H. HASTINGS:

Question. State your age.—Answer. I will be 22 years old on the 22d December, 1879.

Q. Where did you reside on the 5th of November, 1878?—A. I resided at Fredrich Houser's, in Benner Township, Centre County, Pennsylvania, at that time, and had lived there continuously for two years before that.

Q. Where were you born?—A. I was born in Mifflin County, Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November last?—A. I was.

Q. Did you vote on age at the election of Benner Township held November 5, 1878?—A. I did.

Q. Before you voted at that election did you sign and swear to a partly written and partly printed affidavit, setting forth your age, residence and qualifications as a voter?—A. Yes, sir.

Q. Before whom did you make the affidavit?—A. Before Wm. A. Tobias, recorder of the county.

Q. Did any other person swear and subscribe to a similar affidavit on your behalf?—A. No, sir.

Q. What did you do with this affidavit you made?—A. I handed it to the board in the window along with my ticket when I went to vote.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Q. How do you know that the name of Seth H. Yocum was on your ticket?—A. Because I put a sticker over Curtin's name which had Yocum's name on it.

Cross-examined by D. F. FORTNEY:

Q. Do you know whether or not your name was on the registry list for Benner Township?—A. So far as I know; I do not know.

Q. Was your father with you when you voted, and did he make an affidavit to your age?—A. No, sir.

LEWIS HASSINGER.

DEPOSITION OF CHARLES HALL.

Examined by D. H. HASTINGS:

Question. What is your age?—Answer. I am 40 years old.

Q. Where did you live on the 5th of November last?—A. In the borough of Bellefonte, west ward.

Q. How long immediately before that time did you live in Bellefonte?—A. I came here some time in December, 1877, and have lived here ever since.

Q. Where were you born?—A. I was born in Huntingdon County, Pennsylvania.

Q. On the 5th of November, 1878, were you a citizen of the United States and of the commonwealth of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years?—A. I paid my State and county tax to Easton Robb, collector for 1877 of Huntingdon County, Pennsylvania, in 1877.

Q. What time was it in the year 1877 that you paid your taxes to Easton Robb, collector?—A. I paid it thirty days before the election of 1877.

Q. Did you vote at the election for the west ward of the borough of Bellefonte, on the 5th of November, 1878?—A. Yes, sir; I did.

Q. Were you required by the election board to swear and subscribe to an affidavit setting forth your age, residence and other qualifications as a voter?—A. I was.

Q. What did you do with this affidavit?—A. I handed it in to the election board when I voted.

Q. Who did you vote for for Congress at that election?—A. For Mr. Seth H. Yocum.

Q. Did you read your ticket before you voted it?—A. Yes, sir; I did.

Cross-examined by D. F. FORTNEY:

Q. How do you know you voted for Yocum?—A. I got my ticket from an honest man, and I read it.

Q. Who did you get your ticket from?—A. From Mr. D. H. Hastings.

Q. Where did you live before December 5, 1877?—A. I lived in Huntingdon County.

Q. Did you move from Huntingdon County to Centre County in December, 1877?—A. Yes, sir.

Q. Who did you pay your taxes to, and when did you pay them?—A. I paid my taxes in 1877, to Easton Robb, in Huntingdon County.

Q. Did you not say a while ago that you had paid taxes for 1877 in Hastings' office?—A. No, sir; I did not.

Q. How do you know you paid it thirty days before the election?—A. I paid it on the 1st day of October, 1877.

Q. Did you take a receipt?—A. I did take receipt; I have not got it with me; I lost it.

Q. How do you recollect now that you paid your taxes on the 1st of October, 1877?—A. He came to me (Easton Robb) and notified and told me if I paid my tax on the 1st day of October he would not charge me any percentage.

Q. Do you recollect any one else you voted for?—A. No; I don't recollect.

Q. How do you recollect, then, that you voted for Mr. Yocum?—A. Because he's a man I had on my mind for to vote for.

Q. Has anybody been talking to you about who you voted for for Congress?—A. No, sir.

Q. Did you make any written or printed, or partly written and partly printed affidavit before you voted on the day of the election?—A. There was an affidavit made out for me; I was sworn before Mr. Cheeseman, notary public.

Q. You say that you now live in the west ward in the borough of Bellefonte; where did you live before you moved there?—A. I lived in the north ward, back of Daniel Derr's.

Q. When did you move to the west ward?—A. I moved on the 2d day of September, 1878.

Q. How do you recollect that it was on the 2d day of September, 1878, that you moved?—A. Because I paid my tax on the 2d day of September, 1878, and I moved the same day—I meant my rent.

Q. Who did you pay your rent to in the north ward?—A. James Fanning.

CHARLES HALL.

DEPOSITION OF JOHN MILLER.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. Between the age of 21 and 22 years; I was 21 years old on the 29th March, 1878; and I live in the south ward in the borough of Bellefonte, Centre County, Pennsylvania, and I have lived there since April, 1878, continuously.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am; I was born in Blair County, Pennsylvania.

Q. How long have you lived continuously in Pennsylvania?—A. All my life.

Q. Did you vote at the election held in Bellefonte borough on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Did you vote on age at that election?—A. I did.

Q. Were you qualified as to your age?—A. I was. I made affidavit before R. C. Cheeseman, notary public, and I think George Whippo

went with me to the polls, and I gave my affidavit in to the election board with my ticket.

Q. Who was the witness that swore to your residence?—A. Wm. McCaferty.

Q. Did he make and sign an affidavit?—A. I don't remember.

Q. Did you read your ticket before you voted?—A. I did.

JOHN MILLER.

DEPOSITION OF R. S. CRAIG.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. My age is forty-two years, and my residence is Bellefonte Borough, and I have lived here since May, 1878.

Q. Do you know Roland Craig, and how long have you known him?—A. Yes, sir, I do; and I have known him all his life-time.

Q. What relation are you to him?—A. I am his uncle.

Q. What is his age?—A. Between the age of twenty-one and twenty-two years.

Q. Where did Roland Craig live on the 5th day of November, 1878, and how long had he lived there previously?—A. He lived in the west ward, Bellefonte Borough, on November 5, 1878, and he had lived there from July 2, 1878.

Q. Where does he now live?—A. He lives in Montour County, Pennsylvania.

Q. Did Roland Craig vote at the election for the west ward of Bellefonte held November 5, 1878; and, if so, for whom did he vote for Congress?—A. He did vote at that election, and for Seth H. Yocum for Congress.

Q. Were you present when he voted?—A. Yes, sir.

Q. Did he vote on age or tax?—A. On age.

Q. Did he make out the usual affidavits of those voting on age, and who was the witness?—A. He did make out the usual affidavits, and I was the witness.

Q. What was done with the affidavits?—A. They were given to the election-board with the tickets.

Q. Was Roland Craig a citizen of the United States and of the State of Pennsylvania on November 5, 1878?—A. Yes, sir; he was.

Q. Where was he born?—A. He was born in Montour County, Pennsylvania.

Q. What was his age on November 5, 1878?—A. Between twenty-one and twenty-two years.

Q. How do you know he voted for Seth H. Yocum for Congress?—A. I gave him his ticket and saw him vote it.

Cross-examined by D. F. FORTNEY:

Q. How do you know that Roland Craig was between the ages of twenty-one and twenty-two years from the 5th of November last?—A. By a general history or belief of the family and his own knowledge of the fact.

Q. Do you know when he was born?—A. I don't know the date he was born.

Q. What was he doing in Bellefonte?—A. He was working for Mr. Glenn and Mr. Garbrick part of the time, and with myself, and part of the time we were out of work.

Q. Is Roland Craig in good health now?—A. Yes, sir.

Q. When did he go to Montour County?—A. Some time in January, 1879.

Q. Did you read his ticket before you gave it to him and before he voted?—A. I read the ticket before he voted it and before I gave it to him; it was the same ticket he voted.

Q. Where did you give him the ticket?—A. I think I gave him the ticket at the window of the election-poll.

R. S. CRAIG.

DEPOSITION OF WALTER S. STEWART.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. I am now between the — of twenty-two and twenty-three years. I was born in Burnside Township, Centre County, on the 16th day of November, 1857, and I have lived there ever since.

Q. What is your father's name?—A. Dr. M. Stewart.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Did you vote at the election for Burnside Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. How did you vote?—A. On age.

Q. Were you sworn to your age and residence by the election board before voting?—A. I was.

Q. Who was present to vouch for you?—A. My father was present and vouched for me.

W. S. STEWART.

DEPOSITION OF JOHN B. NEWCOMER.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. My age is fifty-eight years, and my residence is Burnside Township, Centre County, Pennsylvania, and have lived there about twenty years continuously, except the year 1874.

Q. Are you a voter in Burnside Township?—A. I am.

Q. Do you know William Craft, Walter S. Stewart, George Rosencranz, and John C. T. Barger, and how long have you known them?—A. I have known the first three since childhood, and have known Barger some three or four years or more, and know him intimately.

Q. Where have these young men lived?—A. They all live in Burnside Township; the first three were born there, and Barger, to the best of my knowledge, was born in Snow Shoe Township, Centre County.

Q. Did these young men vote at the election held for Burnside Township November 5, 1878?—A. They did.

Q. What was the age of William Craft on November 5, 1878?—A. Between the ages of twenty-one and twenty-two years.

Q. What was the age of John C. T. Barger on November 5, 1878?—A. Between the ages of twenty-one and twenty-two years.

Q. What was the age of George Rosencrans on November 5, 1878?—A. I am not certain about his age.

Q. Were Craft and Barger sworn to their ages and residences by the election board?—A. They were.

Q. Did they produce witnesses?—A. They did, their respective fathers.

Q. What position did you hold on the election board?—A. I was a clerk, and, as a justice of the peace qualified the voters.

Q. Did you personally know William Craft and John C. T. Barger to be qualified voters of Burnside Township, Centre County, Pennsylvania, and citizens of the United States and of this State?—A. I did.

Q. To what political party did Craft and Barger belong?—A. Craft belonged to the Republican party, Barger belonged to the Greenback party, at that election.

Q. For whom did they vote for Congress?—A. They voted for Seth H. Yocum; so they told me that they were going to vote for him, and they have also told me since the election that they voted for him.

(Counsel for contestant objects to the question and the answer because it is not competent for the witness to testify to what another person or persons may have told him about their votes, the evidence being mere hearsay and secondary, the ticket itself being the best evidence, or the parties themselves can be called to testify for themselves how they voted.)

Q. How did the total vote for Congress in Burnside Township compare with the total of the poll-list?—A. To the best of my knowledge the total for Congress was equal to the poll-list. There may of been a difference of a vote or two, but am not certain.

Q. What business are Craft and Rosencrans engaged in this spring?—A. Craft is working for his father, rafting; Rosencrans is driving logs for Boak, George R.

Cross-examined by D. F. FORTNEY:

Q. Where is Mr. Barger?—A. He is working for George R. Boak.

Q. Craft and Barger are both well, and living in Burnside Township, so far as you know to-day, are they not?—A. Craft is well, and living in Burnside Township to-day to the best of my knowledge, and John C. T. Barger is living in Burnside Township; he has his home there; I can't say that he is home to-day.

Q. How do you fix the ages of Craft and Barger between 21 and 22 years on the 5th day of November last?—A. By their oaths taken before me on the day of election, and their respective fathers' assertions at the time.

Q. Did these young men swear to a partly written and partly printed affidavit, setting forth their qualifications to vote on the 5th of November, 1878?—A. They did not; the board was not aware that it was necessary; we were burnt out and had no copy of the election laws to guide us.

Q. Did their respective fathers make and sign a partly written and partly printed affidavit, setting forth the residence and other qualifications of the right of these young men to vote?—A. They did not, for the same reasons that the voters themselves did not make affidavit.

Q. Were the blank election papers that were furnished by the commissioners of Centre County to the election board of Burnside Township burned?—A. All that were sealed up in the ballot-box were. Those that were received for holding the election of November 5, 1878, were not burned.

Q. When was the ballot-box burned?—A. Some time between the election of 1877 and 1878.

Q. When you held the election on the 5th of November, 1878, had you not all the blanks that are furnished to election boards by the county commissioners?—A. We may of had them, but I had so much to do with preparing the papers for opening the election that I had not time to examine them.

Q. Were there not blank affidavits furnished to the election board of Burnside Township, by the commissioners of Centre County, to be used by nonregistered voters, and persons voting on age, as to their right to vote at that election?—A. I cannot say whether the commissioners furnished any at that election or not. I opened the papers and do not remember seeing any such papers among them.

Q. All you know about for whom Wm. Craft and Jno. C. T. Barger voted is what they told you, is it?—A. Yes, sir; and what others told me.

Q. Were the election board sworn?—A. They were.

Q. Explain how they were sworn.—A. To the best of my recollection the minority inspector swore the judge and the judge swore the rest of the officers.

Redirect examination by D. S. KELLER:

Q. Was there a Democrat on the election board?—A. Yes, sir; three Democrats: John Thomas, judge; Jacob Hinkston, inspector; and David Mullholland, clerk.

Q. Was the whole board satisfied as to the qualifications to the non-registered voters in Burnside Township?—A. They were.

J. B. NEWCOMER.

Adjourned to meet at 1½ o'clock this p. m.

Met, as per adjournment, at 1½ o'clock this p. m.

J. G. Love, esq., appears as counsel for contestee, and W. C. Heinle, esq., as counsel for contestant.

DEPOSITION OF CHARLES W. GRAY.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age is 21 years. I was 21 years old on 22d August, 1878; I have lived in Patton Township all my life-time.

Q. Where were you born?—A. Patton Township, Centre County, Pennsylvania.

Q. Did you vote at the election held in Patton Township on the 5th of November last?—A. Yes, sir; I did.

Q. For whom did you vote for Congress?—A. I voted for Seth H. Yocum.

CHARLES W. GRAY.

DEPOSITION OF W. H. CRISSMAN.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age is 28 years, and my residence Snow Shoe Township, and have lived there since 1860.

Q. Are you acquainted with Frank Oswalt?—A. I am.

Q. How long have you known him?—A. Ever since I have lived there.

Q. Do you know where he was born?—A. I think he was born in Snow Shoe Township, Centre County, Pennsylvania.

Q. Where does he reside?—A. He resides in Snow Shoe Township, and has for a number of years.

Q. Where is he at the present time?—A. I do not know; he went over to Beech Creek to work.

Q. Did he vote at the election held in Snow Shoe Township held on the 5th of November last?—A. He did.

Q. Did he vote on age?—A. He did.

Q. Was he qualified by the election board? And, if so, just state how.—A. He was sworn, and Samuel Y. Lucas was witness. Samuel Y. Lucas brought him into the room and had him sworn.

Q. What was his age at the time of the election?—A. He was between the ages of twenty-one and twenty-two years.

Q. For whom did he vote for Congress?

(Counsel for contestant objects to the question because the evidence of his vote given by this witness on Congress is based upon hearsay and such other information as is not evidence as to how Mr. Oswalt voted for Congress, Mr. Oswalt's evidence being the best evidence while this is only secondary.)

A. He told me he voted the Greenback ticket, and for Yocum for Congress.

Q. Were you a member of the election board that held and conducted the election in Snow Shoe Township on the 5th of November last; and, if so, in what capacity did you serve?—A. I was one of the clerks of that election.

Cross-examined by W. C. HEINLE:

Q. On what day did Mr. Oswalt say he had been twenty-one years of age?—A. I don't remember; he was sworn to his age.

Q. By whom was the oath administered to him?—A. By D. H. Yeager, the judge of election.

Q. Did D. H. Yeager, the judge of the election, swear him to his age, or did Mr. Oswalt make out the proper affidavit, which was partly written and partly printed, and swear to it?—A. D. H. Yeager swore him to his age; I saw no papers made out.

Q. Did Samuel Y. Lucas, or any other citizen of Snow Shoe Township, sign an affidavit in connection with Mr. Oswalt as to his residence?—A. Not to my knowledge.

Q. When did you see Mr. Oswalt last?—A. I saw him yesterday or day before; I don't remember.

Q. Where did you see him?—A. In Snow Shoe, Centre County.

Q. Where is he to-day?—A. I do not know.

Q. When did he leave Snow Shoe?—A. I do not know.

Q. Do you know whether Mr. Oswalt has left Snow Shoe Township at all?—A. That I don't know.

Q. Did he say to you yesterday or day before that he would leave?—A. He did not.

W. H. CRISSMAN.

DEPOSITION OF W. E. RUMBERGER.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. My age, twenty-three years old in December, 1878; and my residence is Patton Township, Centre County, Pennsylvania, and have lived there ever since he was a small boy.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am, and was born in Half Moon Township, Centre County, Pennsylvania.

Q. Have you paid a State or county tax within two years, and more than one month before November 5, 1878, and which was assessed at

least two months prior thereto?—A. I did pay a State and county tax to Geo. W. F. Gray, collector of Patton Township, August, 1877.

Q. Did you vote at the election held for Patton Township on November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Did you read your ticket before voting?—A. I did.

W. E. RUMBERGER.

DEPOSITION OF HENRY HEBBERN YARNELL.

Examined by D. S. KELLER:

Question. State your age and residence.—Answer. My age, thirty-four years, and my residence Taylor Township, Centre County, Pennsylvania, and have lived there since the second of last September.

Q. How long have you lived in Centre County, Pennsylvania?—A. I have lived in Centre County ever since I was born, except about five years; that was from the fall of 1862 to the summer of 1865, while I was in the Army; then, in 1871, I moved to Blair County, Pennsylvania, and moved back to Centre County in 1873, and have lived in Centre ever since.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Are you registered in the sixty-day list for Taylor Township; and, if so, under what name?

(Counsel for contestant objects to the question; the registry list is the best evidence.)

A. I am, under the name of "Heb Arnold," a mistake in the assessor. I gave him my name on the day that I moved into the township, and he said he would attend to having me assessed, and put it on the sixty-day list in that way.

Q. Is there any other man in Taylor Township by the name of "Heb Arnold?"—A. No, sir; there is not. On the day of the election, when I was going to vote, I went to the window and gave in my name; my name is on the list as "Heb Arnold." Mr. Beckwith, the assessor, was there at the time, and said it was a mistake of his in not knowing how to spell my name.

Q. How do you generally write your name?—A. I generally write my name "H. H. Yarnell."

Q. How are you generally called?—A. At home I go by the name of Hepbern, and is frequently shortened to "Heb" and "Teb."

Q. Had you within two years prior to November 5, 1878, paid a State or county tax which was assessed at least two months and paid one month before November 5, 1878?—A. On the 5th day of October, 1878, I paid my State and county tax to Samuel Hoover, collector of Taylor Township, for 1878.

Q. Was this same tax which Beckwith assessed to you on the 2d or 3d day of September, 1873?—A. Yes sir.

Q. Did you vote at the election for Taylor Township held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Do you know Heb Blowers?—A. Yes, sir.

Q. Did he vote at the election for Taylor Township held November 5, 1878?—A. Yes sir.,

Q. For whom did he vote for Congress?—A. He told me he voted for Andrew G. Curtin.

(Counsel for contestant objects to the question and answer above given because it is hearsay entirely and therefore not evidence.)

Cross-examined by W. C. HEINLE:

Q. How many days did you live in Taylor Township before you saw Beckwith, the assessor?—A. I saw him the same day I voted.

Q. Do you know every man in Taylor Township?—A. I know the voters of Taylor Township by seeing the list; I do not know every man personally.

Q. Have you ever lived in Taylor Township before you moved there this last time?—A. I have never lived there, but I have worked there.

Q. When, and how long, did you work there?—A. I commenced working there in July, 1870, and worked there until some time in September that same year; that is all that I worked there until I moved there.

Q. Could there be a man living in Taylor Township by the name of "Heb Arnold" and you not know it?—A. There could be at this time, but not on the assessor's list and me voting at the time and him rectifying the mistake when I went to vote.

Q. How do you know that no one by the name of "Heb Arnold" lived in Taylor Township on November 5, 1878?—A. By the list of the voters of the township. I got a list of the voters of the township the third week that I lived there.

Q. Was your name on that list?—A. My name was not on the assessor's list; this was the spring list that I got.

Q. On what list was your name?—A. My name was put on the sixty-day list.

Q. Did you vote on your name on the sixty-day list?—A. When I came to the window to vote, and giving my correct name, it not being on the sixty-day list the way I gave it in at the window, I told them that Mr. Beckweth said he would put me on the sixty-day list, and he was there, the man who wrote the name, and he, the assessor, said I was the man who was assessed for that name.

Q. Did you vote on that name?—A. I voted for that name.

Q. When did you see Heb Blowers?—A. On the day of the election.

Q. Before or after he voted?—A. Before and after, both.

Q. What time during the day did he vote?—A. In the afternoon.

Q. When did you see him since?—A. The last time I saw him was on the 6th day of this month.

Q. Did you ask him who he voted for Congress?—A. I had tickets at the election with Mr. Yocum's name on; I offered him one of them to put over Curtin's name; I thought it would look better—I mean a Yocum paster—and he told me that he would vote the solid Democratic ticket with A. G. Curtin's name for Congress. After he had voted I went to him and asked him if he had voted for A. G. Curtin for Congress and he said he had.

H. H. YARNELL.

DEPOSITION OF JOHN HEVERLY.

Examined by D. H. HASTINGS:

Question. State your name, age, and residence.—Answer. My name is John Heverly; my age, thirty-seven years; and my residence is Howard Borough, Centre County, and have lived there continuously for the last thirty-five years; continuously excepting three years I was in the Army, from the fall of 1861 to the fall of 1864.

Q. Where were you born?—A. I was born in the State of Pennsylvania.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November, 1878?—A. I was.

Q. Had you paid a State or county tax within two years and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. I have.

Q. Did you vote at the election for Howard Borough held November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Cross-examined by H. C. HEINLE:

Q. To whom did you pay your State and county tax for 1878?—A. I don't know whether it was to Jackson Gardner or Conrad Deihl.

Q. When did you pay it?—A. I could not just say at what time I paid it.

Q. Was it thirty days before the November election, last?—A. It was.
JOHN HEVERLY.

DEPOSITION OF JOSEPH ROYER.

Examined by D. H. HASTINGS:

Question. State age and residence.—Answer. My age is forty-six years, and my residence is Howard Borough, Centre County, Pennsylvania.

Q. Are you acquainted with Frank Confer, of Howard Township?—A. Yes, sir.

Q. Did he vote at the election for Howard Township held November 5, 1878?—A. He told me so.

(Counsel for contestant objects to the question and answer because it is hearsay, therefore not evidence in this case.)

Q. For whom did Frank Confer vote for Congress at that election?

(Counsel for contestant objects to the question because the witness testifies only as to how Confer voted from hearsay, which is not evidence.)

A. He told me he voted for A. G. Curtin for Congress.

JOSEPH ROYER.

Adjourned to meet at 8½ o'clock a. m. on Friday, March 28, A. D. 1879.

Met, as per adjournment, at 8½ o'clock a. m., Friday, March 28, A. D. 1879.

John G. Love, esq., appears as counsel for contestee, and W. J. Kealsh, esq., as counsel for contestant.

DEPOSITION OF ABRAHAM BAIRD.

Examined by J. G. LOVE:

Question. State your age and residence.—Answer. My age, as near as I can tell, thirty-seven years; my residence, Spring Township, Centre County, Pennsylvania.

Q. Have you paid a State or county tax within two years, and one month before the election held on the 5th of November last, which was assessed two months prior thereto?—A. I don't think I have.

Q. Did you vote at the election for Spring Township held on the 5th of November last?—A. Yes, sir; I did.

Q. For whom did you vote for Congress?—A. I voted for A. G. Curtin.

Q. Have you paid a State or county tax to A. J. Swartz, collector of State and county tax for Spring Township, for the year 1878?—A. No, sir.

Q. Have you paid a State or county tax to Henry J. Tibins, collector of Spring Township, for the year 1877?—A. No, sir.

Q. Have you paid a State or county tax to Jno. S. Noll, collector of Spring Township, for the year 1876?—A. No, sir.

Q. How long have you been living in Spring Township?—A. Between eight and nine years.

(Counsel for contestant objects to the above testimony, because the witness cannot now be examined as to his vote, his evidence not being the best evidence, and because the presumption is that the election board did their duty and received the witness's vote in a legal manner.)

ABRAHAM BAIRD.

DEPOSITION OF JOHN HOUTS.

Examined by D. H. HASTINGS:

Question. Where were you born?—Answer. In George's Valley, Centre County, Pennsylvania.

Q. What is your age?—A. I was twenty-two years old the 9th March, 1879.

Q. Where did you live on the 5th of November, 1878?—A. Patton Township, Centre County, Pennsylvania.

Q. How long immediately before that time did you live there?—A. About six months.

Q. Where did you live before you came to Patton Township?—A. From Ferguson Township, Centre County, Pennsylvania.

Q. How long had you lived in Ferguson Township?—A. About three months.

Q. Did you vote at the election for Patton Township held November 5th, 1878; and, if so, for whom did you vote for Congress?—A. I did vote at that election, and for Seth H. Yocum for Congress.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania?—A. Yes, sir.

JOHN HOUTS.

DEPOSITION OF JAMES GLASGOW.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age, thirty years, and my residence Ferguson Township, Centre County, Pennsylvania, and have resided there for the last six years, about.

Q. Were you a citizen of the United States and of the commonwealth of Pennsylvania on the 5th of November, 1878?—A. Yes, sir.

Q. Where were you born?—A. I was born at Lewistown, Pennsylvania.

Q. Had you paid a State or county tax within two years, and more than one month before November 5, 1878, and which had been assessed at least two months prior thereto?—A. Yes, sir.

Q. Did you vote at the election held for Ferguson Township held for November, 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?—A. For Seth H. Yocum.

JAMES GLASGOW.

DEPOSITION OF JOHN HALE ROSS.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is twenty-one years on the 12th day of last July, 1878, and I reside in Ferguson

Township, Centre County, Pennsylvania, and have lived there all my life.

Q. Were you a citizen of the commonwealth and of the State of Pennsylvania on the 5th of November, 1878?—A. I was.

Q. Did you vote on age at the election for Ferguson Township held November 5, 1878?—A. Yes, sir.

Q. State whether or not you were called into the election-room to certify to your age?—A. I was.

Q. Who was also called into the room to testify to your age before the election board?—A. My father was.

Q. Was your father sworn as to your age?—A. No, sir.

Q. State whether or not any of the members of the election board testified to your age.—A. There was.

Q. Which one was it?—A. James Miller, constable.

Q. Did you sign any written or printed affidavits about your age?—A. No, sir.

Q. Whom did you vote for for Congress?—A. For Mr. Yocum.

Cross-examined by D. F. FORTNEY:

Q. Did you or your father, or any one else, make a partly written and partly printed or a written or printed affidavit to your residence, your age, and other qualifications of your right to vote at the election held on the 5th of November, 1878?—A. No, sir; I did not sign, or any one else. I was not requested to sign any papers.

Q. You say you certified to your age. What do you mean by that?—A. I mean that I was called before the board, and stated my age to them.

Redirect examination by D. H. HASTINGS:

Q. Was your father along with you before the board, and was he questioned about your age?—A. He was.

Q. Did the election board require either yourself or your father to swear to your age?—A. No, sir; they did not.

Q. Did James Miller, the constable, in the presence of the board, state in your presence to the board that he knew you to be of age?—A. Yes, sir.

Q. Has it been the custom in your township to require persons voting on age, when they come before the board in company with their father, to be sworn as to their age?

(Counsel for contestant objects to the question, because the witness, never having cast more than one vote, and that on the 5th of November, 1878, is not competent to testify what has been the custom of the election board of that district.)

A. It was not required that day while I was there.

J. H. ROSS.

DEPOSITION OF A. R. MARKEL.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. I was born September 8, 1857, in Ferguson Township, Centre County, Pennsylvania, and have lived there ever since.

Q. Did you vote on age at the election for Ferguson Township, held on November 5, 1878?—A. I did.

Q. Were you required by the election board to swear and subscribe to any affidavit as to your age, residence, and other qualifications as a voter?—A. No, sir.

Q. Were you interrogated by the board as to your qualifications as a voter?—A. No, sir; I was asked no question.

Q. State whether or not your father was with you at the time you voted?—A. He was.

Q. Was he interrogated by the election board as to your qualifications as a voter?—A. He was.

Q. With how many of the members of that election board were you personally acquainted?—A. I was acquainted with all of them.

Q. For whom did you vote for Congress at that election?—A. For Seth H. Yocum.

Cross-examined by D. F. FORTNEY.

Q. Do you know whether or not your name was on the registry list for the eastern precinct of Ferguson Township?—A. I do not know as it was.

A. R. MARKEL.

DEPOSITION OF P. F. BOTTORF.

Examined by D. H. HASTINGS:

Question. State your age and residence?—Answer. My age, 37 years; my residence is Ferguson Township, Centre County, Pennsylvania; and have lived there for the last 33 years, except the year 1870, when I was out of the county.

Q. Are you acquainted with James Archey and W. H. Miller?—A. Yes, sir.

Q. Where do they reside?—A. In Ferguson Township.

Q. Did they vote at the election for Ferguson Township held November 5, 1878?—A. They told me they did.

Q. At that election, for whom did they vote for Congress?—A. For A. G. Curtin.

(Counsel for contestant objects to the question and answer, because the testimony is hearsay, therefore irrelevant.)

Cross examined by D. F. FORTNEY:

Q. Is your knowledge as to whom the two persons named voted for for Congress based on what they have told you?—A. Yes, sir.

Q. You did not see either of them vote or their tickets, before they voted on the 5th of November, 1878?—A. No, I did not see their tickets.

Q. Is A. G. Archey and Wm. H. Miller well, and still living in Ferguson Township, so far as you know?—A. Mr. Archey is well and is teaching school in Ferguson Township to-day. Mr. Miller is living in Ferguson Township, but he is sick with consumption and is not able to come out of the house.

P. F. BOTTORF.

Adjourned until 2 o'clock this p. m.

Met as per adjournment at 2 o'clock this p. m.

D. H. Hastings, esq., appears as counsel for contestee, and D. F. Fortney, esq., for contestant.

DEPOSITION OF J. F. LUTZ.

Examined by D. H. HASTINGS:

Question. State your age and residence.—Answer. My age is 26 years; my residence is Benner Township, Centre County, Pennsylvania.

Q. Did you vote at the election for Spring Township held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at that election?—A. For A. G. Curtin.

Q. Did you pay any State or county tax in 1878?—A. No, sir.

Q. Did you pay a State or county tax in the year 1877?—A. No, sir, I did not; I was not here that year.

Q. Where were you in the year 1877?—A. I was in the State of Ohio.

Q. When did you move to the State of Ohio?—A. In March, 1877.

Q. When did you return to Pennsylvania from Ohio?—A. In September, 1877.

Q. When did you move to Spring Township?—A. I cannot tell you what year I moved there.

Cross-examined by D. F. FORTNEY:

Q. Did you vote at the November election in the year 1876?—A. Yes, sir; I think I did, in Spring Township.

Q. What time in the day did you vote?—A. Right after dinner.

Q. How do you know that you voted for Curtin for Congress?—A. Because I read his name on my ticket.

Q. Do you know whether or not you paid any State or county taxes for the year 1876?—A. Not as I recollect of.

JOSEPH F. LUTZ.

Counsel for contestee offers the following notices of taking depositions and names of witnesses made by contestee, and served upon Hon. A. G. Curtin, contestant, upon which service was accepted as follows, to wit:

Notice, with service accepted, March 8, 1879, by W. F. Reber, esq., attorney for contestant, hereto attached, and marked Exhibit B, March 28, 1879, W. E. I., N. P.

Notice, with service accepted, March 14, 1879, by J. L. Spangler, attorney for contestant, hereto attached, and marked Exhibit C, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 17, 1879, by J. L. Spangler, esq., attorney for contestant, hereto attached, and marked Exhibit D, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 19, 1879, by W. F. Reber, attorney for contestant, hereto attached, and marked Exhibit E, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 19, 1879, by W. F. Reber, attorney for contestant, hereto attached, and marked Exhibit F, W. E. I., N. P., March 28, 1879.

Notice, served March 20, 1879, upon contestant, by J. H. Williams, service of the notice being duly authenticated on said notice, hereto attached, and marked Exhibit G, W. E. I., N. P., March 28, 1879.

Notice, served March 20, 1879, for contestant's counsel, by J. H. Williams, service of notice being duly authenticated on said notice, hereto attached, and marked Exhibit H, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 24, 1879, by William H. Blair, esq., attorney for contestant, hereto attached, and marked Exhibit I, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 24, 1879, by William H. Blair, attorney for contestant, hereto attached, and marked J, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 25, 1879, by William H. Blair,

esq., attorney for contestant, hereto attached, and marked Exhibit K, W. E. I., N. P., March 28, 1879.

Notice, with service accepted, March 26, 1879, by William H. Blair, attorney for contestant, hereto attached, and marked Exhibit L, W. E. I., N. P., March 28, 1879.

Adjourned *sine die*.

Interlineations and erasures were made by me, as follows:

Page 11, line 1, "Months."

Page 11, line 22, "In the fall."

Page 15, line 11, "My 1877 tax."

Page 15, line 18, "Own."

Page 26, line 21, "Know."

Page 41, line 9, "When you paid."

Page 62, line 8, "Know."

Page 72, line 29, "Oath."

Page 134, line 25, "and, if so, for whom did you vote for Congress?"

Page 148, line 1, "Man."

Page 154, line 11, "Not."

Page 189, line 24, "One month."

Page 219, line 28, "Of the United States."

Page 226, line 16, "Assessed."

Page 234, line 5, "Continued."

Page 257, line 8, "Distance."

Page 273, line 22, "Borough."

Page 274, line 26, "On your duplicate."

Page 281, line 29, "least."

Page 313, line 10, "Collector."

Page 324, line 28, "For the reason."

Page 335, line 5, "Money."

Page 359, line 24, "Notice any one."

Page 406, line 28, "The firm of."

STATE OF PENNSYLVANIA,

Centre County, ss :

I, William E. Irwin, a notary public, in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence; and that the questions and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made thereon, and particularly set forth on pages 11, 15, 26, 41, 62, 72, 134, 148, 154, 189, 219, 226, 234, 257, 273, 274, 281, 313, 324, 335, 359, and 406, were made by me on the lines and pages thereon noted, before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and seal this 15th day of April, A. D. 1879.

[SEAL.]

WM. E. IRWIN,

Notary Public.

CLEARFIELD COUNTY.

In the matter of the contested election in the twentieth Congressional district of Pennsylvania for a seat to represent said district in the House of Representatives of the United States of America in the Forty-sixth Congress.

Depositions of witnesses taken before William Radebaugh, a notary public of the borough of Clearfield, in the county of Clearfield, and resident of the twentieth Congressional district of the State of Pennsylvania, at the court-house in the borough of Clearfield, on the part of Seth H. Yocum, contestee, on the 20th day of February, 1879, at 3.20 p. m.

ELI BLOOM affirmed.

D. L. Kochs and J. F. Snyder, of counsel for contestant, protest against the taking of testimony of this witness before William Radebaugh, notary public, or any other person or persons on this twentieth day of February, 1879, for the reason that no notice, as required by the act of Congress, has been issued upon the contestant or upon any of his counsel that the testimony of this witness now sworn or any other witness would be taken before the said notary on this day mentioned; that the only notice served for taking testimony on this day was a notice that testimony would be taken before John W. Wrigley, a notary public, at the court-house in the borough of Clearfield on the 20th, 21st, 22d, and 24th days of February, 1879, and that the only notice that testimony would be taken in the contest of the right of Seth H. Yocum to a seat in the Forty-sixth Congress of the United States, and to be taken before William Radebaugh, notary public, was served on the 18th or 19th of February, 1879, in which the time fixed was named as of the 24th of February, 1879; that contestant has not had sufficient time to appear by himself or to direct and consult with his counsel, nor is the time such as is required by the act of Congress governing and regulating the taking of testimony in contestant rights to seats in the United States Congress.

Question. Are you the prothonotary of Clearfield County; and, if so, how long have you held that office?—A. I am the prothonotary, and have held the office four years and one month.

Q. Are the returns for the general election of November 5, 1878, for the districts of Clearfield County filed in your office?—A. They are.

Q. Have you the returns for the districts of Newburg Borough, Walaceton Borough, Bell, Boggs, Chest, Knox, and Morris Townships before you?—A. Yes, sir.

Q. State whether you were requested to prepare copies of the oaths filed by the officers and clerks who conducted the said election in the said districts?—A. Yes, sir.

Q. Were copies of the said oaths, in all the said districts in which oaths had been returned, prepared under your direction, and by whom were they so prepared?—A. They were prepared by my son, A. M. Bloom.

Q. Is your son your deputy, and how long has he been acting in that capacity?—A. It is about three years and four months he has been acting as such.

Q. State whether you have before you the copies of oaths so prepared by him, and do you believe them to be correct copies?—A. I have the copies before me, and I believe they are correct to the best of my knowledge.

Q. Are they certified by you?—A. They are.

Q. Are they copies of oaths for all the districts named, or are no oaths returned or on file for any of the districts named?—A. Oaths have been copied for all the districts named, except Chest Township, for which no oaths were returned and none are on file.

Q. Have you had prepared by A. M. Bloom, deputy, a certificate that there are no oaths on file for Chest Township?—A. I did.

Q. Have you that certificate before you with the copies of the oaths, and is it certified by you?—A. I have, and it is.

(Papers marked Copy of oaths for Newburg Borough, Exhibit A; Wallaceton Borough, Exhibit B; Bell Township, Exhibit C; Chest Township, certificate of no oaths, Exhibit D; copies of oaths for Knox Township, Exhibit E; Morris Township, Exhibit F; Boggs Township, Exhibit G.)

Cross-examined :

(Counsel for contestant, reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony before the committee who shall hear the cause, for the reason stated in the objection to the witness testifying, proceeds to cross-examine.)

Q. Did you do anything in the preparation of the copies of the oaths of the election officers in the several named districts except to direct your deputy, A. M. Bloom, to make them?—A. Not any.

Q. Did you examine, read, and compare the copies to which your attention has been called by the counsel for Mr. Yocum?—A. Only partially.

And further saith not.

ELI BLOOM,
Prothonotary.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.

A. M. BLOOM sworn.

Counsel for contestant protest against the taking of the testimony of this witness before William Radebaugh, notary public, or any other person or persons, on this the 20th day of February, 1879, for the reason that no notice, as required by the act of Congress, has been served upon the contestant or upon any of his counsel that the testimony of this witness now sworn, or any other witness, would be taken before the said notary on this day mentioned; that the only notice served for taking testimony on this day was a notice that testimony would be taken before John W. Wrigley, a notary public, at the court-house, in the borough of Clearfield, on the 20th, 21st, 22d, and 24th days of February, 1879, and that the only notice that testimony would be taken in the contest of the right of Seth H. Yocum to a seat in the Forty-sixth Congress of the United States, and to be taken before William Radebaugh, notary public, was served on the 18th or 19th of February, 1879, in which the time fixed was named as of the 24th February, 1879; that contestant has not had sufficient time to appear by himself or to direct and consult with his counsel, nor is the time such as is required by the act of Congress governing and regulating the taking of testimony in contested rights to seats in the United States Congress.

Question. Are you the deputy of Eli Bloom, the prothonotary of Clearfield County, and how long have you held that position?—Answer. I am the deputy, and have held the position for something over three years.

Q. Have you been present during your father's examination to-day?—
A. Yes, sir.

Q. As such deputy, have you before you the official returns of the general election of November 5, 1878, for the following election districts in Clearfield County: Newburg and Wallaceton Boroughs; Bell, Boggs, Chest, Knox, and Morris Townships?—A. Yes, sir.

Q. Have you, under your father's direction, made and compared copies of the oaths returned of the election officers and clerks for said districts who conducted said election?—A. I compared them all.

Q. Who made them?—A. My brother, J. M. Bloom, made all but one, which was Newburg Borough. I wrote the certificates to each of them and my father signed them.

Q. Is your brother, J. M. Bloom, also a deputy prothonotary of your father; and, if so, how long has he held that position?—A. He is deputy prothonotary, but I don't know how long he has acted as such. It is something over a year.

Q. Did he write out these copies in the prothonotary's office, and from the originals on file there?—A. Yes, sir.

Q. How did you compare these copies with the originals?—A. I had both the original and copy before me.

Q. Were you careful in making this comparison, and did you or not compare them word by word?—A. I was careful in comparing them. I compared the written matter word for word. I didn't think it was necessary to go over the printed matter word for word. It was printed in blank form, and was struck off at the same time as the original, I suppose.

Q. Are you satisfied from the comparison you made that these copies are correct word for word with the originals on file in the prothonotary's office?—A. I am.

Q. Where did you get the blanks upon which these copies were made out?—A. At the commissioners' office.

Q. Are they or not, in so far as the printed part is concerned, precisely the same as those sent out by them to the election officers and which are afterwards returned by the election officers with the election returns?

(Objected to in so far as witness' knowledge of what papers are sent out by the commissioners to election officers is derived from hearsay, and that the witness' testimony in answer to the question propounded it is asked to be confined to what the witness knows and can answer from his own knowledge.)

A. I believe they are.

Q. Did you or not compare the copies of oaths and other returns offered in evidence by the contestant in this case?—A. I did.

Q. Will you state whether you find oaths returned or on file for each of the election districts named; and if not, for which of the townships named were no oaths returned or on file?—A. I find oaths returned and on file for each township named, except Chest Township, in which there are no oaths on file.

Q. Do you find oaths returned for each of the election districts named, except Chest Township?—A. Yes, sir.

Q. Have you examined carefully among the proper papers in the office to see if there are oaths returned or on file for Chest Township, and what do you find?—A. I have examined carefully, and I find there are none.

Q. (Papers marked Exhibits A, B, C, D, E, F, G shown witness.) Are these the copies compared by you of the oaths of the election officers

and clerks on file and the certificate of no oaths referred to?—A. Yes, sir.

Q. Are these papers duly certified under the seal of the court?—A. They are.

(Counsel for contestant, expressly reserving all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony before the committee who shall hear the cause for the reason stated in the objection to the witness testifying, proceeds to cross-examine.)

Q. Were or were not the envelopes containing the papers returned by the election officers to the prothonotary's office, and relating to the election held on the 5th of November, 1878, handled by persons of both parties before the meeting of the return judges at Clearfield for that election?—A. I think not.

Q. Were not the envelopes containing the election papers in many instances opened and looked at by different persons before the returns were actually counted by the return judges?—A. I think not.

Q. Were you present in the meeting of return judges when the envelope containing the election papers for Chest Township were opened?—A. No, sir.

Q. Can you say whether or not the envelope for Chest Township had in it the oaths of the election officers when it was opened at the meeting of return judges?—A. I cannot say.

Q. Do I understand, then, your testimony to be that there is not now any oaths of election officers for Chest Township on file in the prothonotary's office?—A. That's my testimony.

Q. Do you testify, then, that no oaths for election officers in Chest Township for the election of November, 1878, ever were returned?—A. No; I testify that they are not on file. I have no knowledge of them having been returned.

Q. How long after the return of the election papers for said township was it until you discovered that there were no oaths of election officers among the papers for said township, on file?—A. Not until last week some time.

Q. Was it not more than three months after the papers were returned until your attention was called to this?—A. Yes, sir.

Q. Had not these papers passed through the hands of those who opened, examined the papers at the meeting of return-judges, as well as the counsel for both parties, before you discovered that the oaths in said township were not on file?—A. I believe they had.

Q. Did you ever assist in sending out blanks from the commissioners' office to election officers?—A. No, sir.

Q. Do you know whether or not there is any difference between the forms that were sent to election officers prior to 1874 and those sent out now?—A. No, sir.

Re-examined:

Q. Are these forms those in use now for sending out from the commissioners' office to the election boards?—A. I believe they are.

(Counsel for contestee offers the following papers, to which witness' testimony relates, to wit: Exhibits A, B, C, D, E, F, G.

Objected to, for the reason that the certificate does not correspond to the testimony of the witness who certifies the same.)

Q. State whether you recollect the day upon which the court adjourned at January term, 1879.—A. It was on Saturday; I don't remember the date.

Q. Do you remember whether it was the last Saturday of the month?—

A. It was about the 25th or 26th of January, 1879.

Q. Do you remember that Thomas H. Murray, of counsel for contestee, on the day preceding the adjournment of that court *sine die*, presented to the court a petition in behalf of the contestee, Hon. S. H. Yocum, asking an order to be made by the court for the preservation of the ballots cast at the general election of November 5, 1878, in the disputed districts to which this contest relates, in Clearfield County, on the ground that at the approaching district election for township and borough officers then to be held, and which was held on February 18, 1879; and were you not requested by Mr. Murray, at the time of presenting the petition, to mark it "Filed," and did you not mark it "Filed" before it was presented to the court?

(Objected to as leading, irrelevant, incompetent, immaterial, and contestant will ask the committee to strike out the testimony.)

A. I answer "Yes" to all of that.

Q. Do you recollect what attorney opposed that petition and the making of the order asked for?—A. I believe Mr. Wallace made some opposition to it.

Q. Do you or not mean Mr. Wallace, of the United States Senate, who is the partner of D. L. Kebs, esq., who conducts the cross-examination for the contestant, and is of counsel for contestant?—A. Yes, sir.

Q. Do you remember any of the reasons urged by Mr. Wallace against this application?—A. There were several reasons. I believe one of them was it would be too expensive to furnish new ballot-boxes.

Q. Do you remember whether the court then made that or any other order relative to the preservation of the ballots?—A. I believe they did not, as I have no knowledge of his ever making any.

Q. Who was the presiding judge?—A. Hon. C. A. Mayer.

Q. Do you recollect what, if anything, Judge Mayer said in reference to taking the petition home with him and considering it before making any order?—A. I remember that he said he would take the petition home and look up the law on the subject; that he was not sure that he had the power to make such an order, or something to that effect.

Q. Do you remember when the petition was first presented to him, and before any opposition was made to it, he stated that he had no question or doubt as to his power to make the order?—A. No, sir; I don't remember that.

Q. Was it not after the opposition was made that he said he would take the petition home with him?—A. I believe it was after the attorneys had a say on both sides.

Q. Were you not sitting immediately in front of the judge's bench at your desk when the petition was presented and the arguments made?—A. Yes, sir.

Q. Where does Judge Mayer reside, and how far is it from this place?—A. He resides in Lock Haven. I don't know the distance.

Q. About how far is it, as near as you can tell?—A. I suppose it is about one hundred miles, as near as I can tell.

Q. Has Judge Mayer ever been here since then that you know of?—A. He has not, that I know of.

Q. Has that petition ever been returned, or any order made, that you know of?—A. It has not.

(Contestant objects to all the foregoing testimony as irrelevant, immaterial, and incompetent; that the questions are leading and improper; that he, by counsel, protests against the method of examination and the filtering of counsel's unsworn declarations through this

witness; while the witness no doubt testifies to the best of his recollection truthfully, he has been unfairly led to say things as said and done by Mr. Wallace that were not said by him, and that the whole testimony will be asked to be stricken out.

Counsel for contestee objects and protests against the foregoing unsworn, unfair, and incorrect statement of counsel for contestant, made under the pretext of objection to the sworn testimony of a witness, and that witness having been previously called by contestant, and being an intelligent witness, and his testimony being reduced, questions and answers, to writing by the duly-qualified officer of the law.)

And further saith not.

A. M. BLOOM.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

Adjourned at 7.30 p. m. to February 21, 1879, at 8 a. m.

[SEAL.]

WM. RADEBAUGH,
Notary.

FEBRUARY 21, 1879—8.50 a. m.

JOHN W. SHUGERT affirmed.

(Counsel for contestant protest against the taking of the testimony of this witness before William Radebaugh, notary public, or any other person or persons, on this the 21st day of February, 1879, for the reason that no notice, as required by the act of Congress, has been served upon the contestant or upon any of his counsel that the testimony of this witness now sworn or of any other witness would be taken before the said notary on this day mentioned; that the only notice served for taking testimony on this day was a notice that testimony would be taken before John W. Wrigley, a notary public, at the court-house, in the borough of Clearfield, on the 20th, 21st, 22d, and 24th days of February, 1879; and that the only notice that testimony would be taken in the contest of the right of Seth H. Yocum to a seat in the Forty-sixth Congress of the United States, and to be taken before William Radebaugh, notary public, was served on the 18th or 19th of February, 1879, in which the time fixed was named as of the 24th of February, 1879; that contestant has not had a sufficient time to appear by himself or to direct and consult with his counsel, nor is the time such as is required by the act of Congress governing and regulating the taking of testimony in contested rights to seats in the United States Congress.

Counsel for contestee protests against the foregoing statement, copied from two like statements already upon the record and put upon the record under pretext of an objection, for the reason that they are made for the evident purpose, and for the only purpose, of delaying the contestee, and for the further reason that the facts therein stated are untrue.

Counsel for contestant deny the truthfulness of the allegations made by counsel for contestee in the foregoing objection to the objection made by counsel for the contestant to the taking of the testimony of the witness now sworn, and deny that the same is made for the reason or purpose of delaying the contestee in the taking of the testimony on his part.)

Question. Where do you reside and what is your age?—Answer. I reside in Clearfield; my age is fifty-six the 12th day of this month.

Q. Where did you vote at the general election of November 5, 1878?
—A. In the borough of Clearfield.

Q. For whom did you vote at said election for Congress?—A. A. G. Curtin.

Q. Had you within two years preceding said election paid a State or county tax which was paid at least one month and assessed at least two months before said election?—A. It was assessed over two months, but not paid over one month.

Q. How long before said election was it paid, and was it less than thirty days?—A. It was less than thirty days, and I can't swear to the time, as the tax was paid by a friend. The county has the money, I suppose, and it don't make any difference.

Q. About how long was it before the election, as near as you can fix it?—A. I don't think it was more than a day before the election; anyway, not longer than that; I don't think it was.

Q. Was that the only State or county tax which you had paid within two years preceding said election?—A. That was all that was against me; it was the 1876 and 1877 taxes.

Q. It was all you had paid, then, within two years preceding said election, was it not?—A. I was.

Cross-examined:

(Counsel for contestant, reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony before the committee of Congress who shall hear the cause, for the reason stated in objection to the witness testifying, proceeds to cross-examine.)

Q. How long have you resided and voted in Clearfield Borough?—A. On the 29th day of March I will have resided in the borough thirty-eight years. I came in the spring of 1841. I voted the first time in 1844, thirty-four years last fall.

Q. Have you or have you not voted at the general elections ever since 1844, when you cast your first vote?—A. I have, every one, I believe.

Q. Did you or did you not pay your State and county taxes for the years 1874 or 1875, or either of them, after the 7th day of November, 1876?—A. No, sir.

Q. Was your name upon the registry of voters at the general election of November 5, 1878?—A. I didn't see the registry at all. I didn't look for it, but suppose it was.

Q. Was your vote challenged at said election?—A. No; it was not.

Q. Was your vote challenged at any general election since you became a voter?—A. It never was.

Q. Were you born in the United States?—A. I was.

Q. Were you born in Pennsylvania?—A. I was born in Centre County, Pennsylvania. Upon thinking over the matter, I believe it was in Huntingdon County, near where Warriors' Mark now stands.

Q. Have you resided in Pennsylvania ever since?—A. I have. I never was out of the State in my life.

Q. Did you reside in Clearfield Borough more than sixty days before the general election of November 5, 1878, and immediately preceding the same?—A. I did.

And further saith not.

JOHN W. SHUGERT.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

Mrs. ANNA MULLEN sworn.

(The counsel for contestant made same objections to taking the evidence of this witness as those made to the preceding witnesses.)

Question. Where do you reside, and how long have you resided there?—Answer. In Clearfield; fourteen years since I came here.

Q. Have you been keeping house here during that time?—A. Yes, sir.

Q. Is James Mullen your husband?—A. Yes, sir.

Q. Where does he reside, and with whom?—A. In Bellefonte, Centre County, with his father and mother.

Q. Is that his native place?—A. Yes, sir.

Q. Has he or not resided there and made that his home during the last ten years?—A. Yes, sir.

Q. How long is it since he has resided with you, or made his home with you in Clearfield?—A. About seven years.

Q. State how long it is since he has contributed to your support.—A. I can't say for the last ten years that he has contributed anything toward us, but when he would come here he would provide enough for himself. He has not contributed anything to my support for ten years.

Q. How often during the last seven years has he been to see you at your home?—A. I think it is three times.

Q. How long has he staid at those times?—A. I can't just remember how long, but the last time he was out he was two days at home.

Q. When was the last time he was to see you?—A. The day of the election.

Q. Was it the November election of 1878?—A. Yes, sir.

Q. When was he here before that?—A. A year before that, at the election; he generally comes to the election to vote.

Q. Do you remember whether he voted at the election of November 5, 1878?

(Objected to by counsel for contestant, because the question, unless the witness can answer of her own personal knowledge, must depend upon hearsay for her answer.)

A. He did.

Q. What did he say about his voting?—A. Why, he said he come to vote for Curtin, and that he had a fifty dollar check of Curtin's in his pocket; and that I had challenged his vote at the last election; that I couldn't do it this time, as his taxes was paid.

Q. Did he or not say, after he had voted, who he had voted for for Congress?—A. Yes, Andy Curtin, he said.

Q. Did he or not say that his only purpose in coming here was to vote?

(Objected to, because the witness cannot answer of her own knowledge what the purposes and intentions of her husband were in coming to Clearfield in November, 1878, and her answer therefore must depend upon hearsay. And it is further objected to, for the reason that her husband resides within the twentieth Congressional district, and is a competent witness, and his testimony can be had relative to his purposes and intentions in coming to Clearfield in November last, and on all matters tending to impeach his right to vote in Clearfield Borough.)

A. He said he came here for that purpose, and nothing else would have brought him here.

Cross-examined:

(Counsel for contestant, reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move

to strike out the testimony before the committee of Congress who shall hear the cause, for the reason stated in the objection to the witness testifying, proceeds to cross-examine.)

Q. Were you and your husband, James Mullen, ever legally separated?—A. We were not.

Q. When your husband, James Mullen, came to Clearfield, did he or did he not make his home with you and your family?—A. No, he would stop at the hotel, and come up to see them; not that he cared anything for the family, as he always expressed himself.

Q. For how many years has he come to Clearfield to vote at the general elections?—A. I think it is only for the last three years that he made it a general point.

Q. On what day in 1878 did he come to Clearfield, and how long did he remain, and when did he go away?—A. I made a mistake; he came the day before the election; he came up that evening; I mean he sent for me, and I went down to the hotel, and he came up home; he came to my house—it ought to be, for he don't call it home—and went to the Shaw House on Wednesday evening, and staid till Friday, and went home to Bellefonte; he did not come back to the house after he left on Wednesday.

And further saith not.

ANNA MULLEN.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.

JOHN KITTELBERGER sworn.

(Same objections as those made before.)

Question. Where do you reside, and what is your age, and how long have you resided there?—Answer. In Clearfield; fifty three years; born in 1826; have resided here twelve years.

Q. Were you born in this country? And, if not, state if you are naturalized and when.—A. I was not born here; came to this country in 1847 from Germany; I was naturalized about 1855.

Q. Where did you vote at the general election of November 5, 1878?—A. Voted in Clearfield Borough.

Q. For whom did you vote at said election for Congress?—A. For Andy Curtin.

Q. Did you yourself pay a State or county tax within two years preceding said election, which was paid at least thirty days before said election, and assessed at least sixty days before said election?—A. My tax was paid pretty near a year before the election; me and John McClellan, collector, had a settlement; I went down, and Billy McClellan, son of John McClellan; he owed me three dollars and thirty-five cents; finally John McClellan came home, and Billy said to him "Pap, have you any money; you owe John Kittelberger three dollars and thirty-five cents"; then John said, he had no money, but he said would pay it some of these days. Last summer I met John McClellan on the street, and I said to him that he should pay that tax of mine with that money that was coming to me.

Q. Was that or not the last time you spoke to him on the subject until within a few days of the election?—A. I talked to him about it the first time they had it in the paper that taxes had to be paid.

Q. Did you then request him to pay your taxes?—A. Yes; and he said all right; and I told him to mark my tax paid, and he said he would.

Q. Have you a receipt for the payment of those taxes?—A. I had one;

Al. Walters had it; he was judge of the election and looked at it. I don't know where it is now.

Q. When did you get that receipt?—A. John McClellan gave it to me on the day of the election.

Q. You don't know when John McClellan gave you credit for the amount of your taxes?—A. No, sir.

Q. Have you in any other way paid any State or county tax within two years preceding said election?—A. Yes; I paid my tax, all except in 1878; that is not paid yet.

Q. Your State and county tax for 1878 is not paid?—A. No.

Q. For what year's taxes was this arrangement with McClellan?—A. For 1877.

Q. When did you pay your State and county taxes for 1876, and to whom?—A. In 1876; I can't tell whether it was to David Wise or John McClellan.

Q. Was that the payment of tax upon which you voted at the Presidential election of 1876?—A. Yes.

Q. How long had you paid that tax before the Presidential election of 1876?—A. I paid that in the summer of 1876.

Q. Have you paid or arranged any other State or county tax since then except the arrangement with John McClellan and Willie McClellan, which you have testified to in regard to your taxes of 1877?—A. I had no other taxes to arrange.

Q. Were all your State and county taxes for the years prior the year of 1876 paid before the summer of 1876?—A. Yes, sir.

Adjourned at 12 o'clock to 1 o'clock p. m. of this day.

Now, 1.20 o'clock p. m.

Cross-examined:

(Counsel for contestant, reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony before the committee of Congress who shall hear the cause, for the reason stated in the objection to the witness testifying, proceeds to cross-examine.)

Q. You say, do you, that you were born in Germany, that you came to this country in 1847, and that you were naturalized about the year 1855?—A. Yes, sir.

Q. Have you resided in the State of Pennsylvania during the whole year immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Did you reside in Clearfield Borough, Clearfield County, for more than two months immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Was John McClellan a collector of State and county taxes for Clearfield Borough for the years 1873, 1874, 1875, 1876, and 1877, or for either or any of these years?—A. Yes; for 1873 I know.

Q. When, that is, in what year did you have the settlement with him of which you have spoken in your direct examination?—A. I don't know exactly when that was.

Q. Was it or was it not in the year 1877?—A. I don't know whether it was or not; I don't think it was in 1877.

Q. When was it, to the best of your knowledge and recollection?—A. I don't know when it was.

Q. Was there or was there not a balance coming to you at said settlement of somewhat over three dollars?—A. There was three dollars

and sixty-five cents. Since testifying this morning, I have consulted my book, and find this to be the balance coming to me, instead of three dollars and thirty-five cents, as testified in my direct examination.

Q. Did you at any time receive payment of this balance in any other way than by crediting the same upon your taxes, that is, State and county taxes which were in the hands of John McClellan, constable, for collection?—A. I never got anything; he paid that State and county tax for me.

Q. Did you at any time during 1878, and more than one month before the election of November 5, 1878, request John McClellan, constable and collector of State and county taxes for the year 1876, to pay your State and county taxes for you out of the money which he owed you as a balance unsettled?—A. Yes; I did.

Q. Have you, since you testified this morning, made diligent search for your tax-receipts?—A. Yes; I found one this morning, and I think I was mistaken when I said I paid my State and county taxes for 1877 to John McClellan.

Q. When you requested John McClellan to pay your State and county taxes for you out of the balance coming to you at settlement did he or did he not agree to do so?—A. Yes; he said he would.

Q. Did he say he would mark the same satisfied on the duplicate?—A. He said he was going to mark it paid.

Q. You said in your direct examination that you spoke to him in reference to the payment of your taxes about the time the first notice appeared in the papers that taxes should be paid by a certain time; did he tell you at this time that he had marked your taxes paid; and was this conversation more than one month before the election of November 5, 1878?

(Objected to as incompetent, immaterial, and hearsay.)

A. It was the first time I saw him after the notice in the paper, and I told him that he should pay my taxes, and he said he marked them paid.

Q. Do you think it was more than one month before the general election of 1878 that he said to you that he had marked your taxes paid?

(Objected to as immaterial and improper; the witness should confine himself to facts, and not testify to his thoughts.)

A. Yes, it was more than a month.

Q. Did you, and do you now, allow him a credit in your account against him of the amount of State and county taxes which he paid for you, or marked paid on his duplicate, or agreed to mark paid on the same?—A. I did.

Q. Did he afterwards give you a receipt for the payment of the taxes which he agreed, more than one month before the said election, to pay or mark paid in his duplicate?—A. He gave me a receipt; yes.

Q. Have you found that receipt since your direct examination this morning?—A. Yes, sir.

Q. For what year's taxes is it a receipt?—A. It is receipted for 1876.

Q. Will you let me see that receipt?—A. Yes.

Q. Will you read this receipt?—A. I can't read it.

(Witness produces receipt for notary to copy; and the following is a true copy of the same:)

“Received Clearfield, October 1st, 1878, of John Kittleberger, two and $\frac{27}{100}$ dollars in full, being his State & county tax for the year 1876, situated and assessed in Clearfield Borough.

“JOHN McCLELLAN,
“Collector.”

Q. Did you yourself receive this receipt, which has been copied by the notary, from John McClellan, collector?—A. Yes, sir.

Re-examined:

Q. You got this receipt, did you, on the day of election, 1878?—A. Yes, sir.

Q. Where were you when you got it?—A. Down here at the court-house corner. A. A. Adams had challenged my vote before dinner, and I went home; about two or three o'clock Bill Tucker came up and told me to come down and vote; that John McClellan had said my taxes were paid.

Q. What time in the afternoon was it that you voted?—A. It was about two or three o'clock.

Q. When your vote was challenged, and you had gone home without voting, had you not abandoned the idea of voting on that day; and would you not have remained at home had Tucker not come after you?—A. I would have come down after a while if he hadn't of come up; I had some work to do.

Q. Did Tucker have this receipt with him?—A. No, sir.

Q. Did not or did Tucker tell you that he had seen McClellan, and that your taxes were arranged?

(Objected to by counsel for contestant, because the counsel for contestee assumes by his question that witness has stated that Tucker came for him and told him to come down and vote, that he had seen McClellan and that his taxes had been arranged, whilst witness did not so testify, but said that Tucker came to him and told him to come down and vote, that McClellan had said that his taxes were paid; and therefore the question is an improper one, because it has a tendency to mislead the witness in his answer.)

A. Tucker came up and told me to come down and vote.

Q. Did he say he had seen McClellan, and that your taxes were arranged?—A. He said that he heard that John McClellan said that his taxes were paid; he said that they had no right to challenge my vote.

Q. Did Tucker tell you to come down and vote?—A. He told me to come down and vote; he said, "You ought not to lose your vote." He was afraid I was not coming down.

Q. Did you come down with him?—A. No; I came down by myself.

Q. When you came down did John McClellan hand you this receipt?—A. Yes.

Q. Did you see John McClellan in the forenoon?—A. No, sir.

Q. Was he not present when you offered to vote?—A. No, sir; he was not there.

Q. When your vote was challenged did you not say in the presence of A. A. Adams, Al. Walters, and Jas. E. Watson, that you had not paid a State or county tax for two years?—A. No, sir; I did not.

Q. Do you know who wrote this receipt?—A. No; I don't know who wrote it.

Q. At the time you settled with McClellan and made the arrangement to credit the ballance on your taxes what amount of taxes did he hold against you?—A. There it is on that receipt.

Q. Is this all the tax he held against you?—A. At that time it was.

Q. Have you not got with you a statement from him of taxes?

(Objected to by counsel for contestant because the question does not state in particular for what years or to what time the statement asked for refers.)

A. Yes; I have got a paper here.

Q. Will you produce it?—A. Yes.

Q. Did you ever enter upon your books a credit for the amount of this tax receipt in your account against McClellan; and, if so, when was it?

(Objected to by counsel for contestant for the reason that it is immaterial whether the witness has entered a credit upon his books or not, for the amount of the receipt which has been produced and copied into his testimony, in favor of John McClellan, collector, since he has testified in his cross-examination that he gave McClellan credit on the amount coming from him to witness more than one month preceding the general election of November 5, 1878, for the amount of said receipt.)

A. I gave him credit at the time I told him, when the tax was noticed in the paper; he said he would mark it paid, and that I should give him credit on my books, and I went right home and done it.

Q. Have you seen this entry in your book since you were here this forenoon?—A. No, sir; I didn't look. The credit's there, I know that.

Q. When did you last see that entry?—A. I often see it in making out bills.

Q. Do you know when it is dated?—A. No.

Q. Your State and county taxes now are all paid, are they not, except for the year 1878?—A. No, that ain't right; my 1877 taxes are not paid. I made a mistake this morning.

Q. Did anyone talk to you about this matter of your taxes and what your testimony would be, between the times you were examined this forenoon and your being called this afternoon?—A. Nobody talked to me about it; Mr. Snyder told me at noon to look up my tax receipts and bring them along this afternoon.

Recross-examined:

Q. Would you or would you not have come down to town on the day of the general election of 1878, and have endeavored the second time to get your vote in, even if Tucker had not come up after you and told you what he did in reference to your taxes?—A. I would have come down anyhow, if he had of come up or not.

Q. You had not, had you, given up the idea of voting when your vote was challenged by A. A. Adams and rejected by the election board?—A. No; I didn't give it up.

Q. Then Tucker's coming up to your house did not in any way change your intentions to vote at said election?—A. I had my mind made up that I was going to vote.

And further saith not.

JOHN KITTLEBERGER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

SILAS CAREY affirmed.

(Same objections made by counsel for contestant as before.)

Question. Where did you vote at the general election of November 5, 1878?—Answer. I voted in the borough of Clearfield.

Q. Did you vote at the polls of Clearfield Borough or Lawrence Township?—A. Clearfield Borough.

Q. You reside in that borough, do you?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Had you yourself within two years preceding said election paid a State or county tax which was paid at least one month, and assessed at least two months, prior to said election?—A. Well, that would be pretty hard for me to answer. I was assessed two months or over.

Q. Can you yourself swear that you paid a State or county tax as long as one month and within two years of said election?—A. Yes, sir.

Q. When did you pay that tax, and to whom?—A. I paid it in October to McGaughey.

Q. On what day of October?—A. I don't recollect just the day. I paid it in time to vote.

Q. Give the date as near as you can?—A. Near the first of October.

Q. Have you a receipt for said taxes?—A. I think I have at home.

Q. When did you get that receipt, and from whom?—A. I got that at the time I paid my taxes from McGaughey.

Q. Did you receive it direct from McGaughey?—A. I don't think I did. It was from the clerk; I don't know who it was.

Q. Did you pay the money yourself at that time?

(Objected to by counsel for contestant because witness has already answered the question.)

A. I did.

Q. What was the amount of the taxes?—A. I think it was two dollars and something; I don't recollect exactly.

Q. Did you pay it by money or check?—A. Money.

(Counsel for contestant reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony of witness before the committee of Congress who shall hear the cause or the reasons stated in the objection to the witness testifying, proceeds to cross-examine.)

Q. Were you born in the United States and in the State of Pennsylvania?—A. Yes, sir.

Q. Have you resided in the State of Pennsylvania, and in the county of Clearfield, and in the borough of Clearfield in said State, for more than one year immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Was your vote challenged at the general election of November 5, 1878?—A. No, sir.

Q. Have you or have you not, for a number of years past, voted in Clearfield Borough at the general elections?—A. I have.

Q. Did you or did you not, after November 7, 1876, and before the time at which you paid State and county taxes to McGaughey, pay other State and county taxes?—A. I did.

Q. Were these other taxes paid more than one month before the election of November 5, 1878?—A. They were paid one month before.

Q. When you say they were paid one month before the election of November 5, 1878, do you not refer to the taxes of which you testified in your direct examination?—A. Yes, sir.

Q. Were not the other State and county taxes which you paid paid before that time?—A. Yes, sir.

Q. Was the McGaughey to whom you paid these taxes David McGaughey, the treasurer of Clearfield County?—A. Yes, sir.

Re-examined:

Q. When did you pay those other State and county taxes, and to whom?—A. I paid them in 1877, to McGaughey, the treasurer.

Q. What time in 1877, as near as you can tell?—A. About the middle of September, I think.

And further saith not.

SILAS D. CAREY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.

F. O. REED sworn.

(Same objections made by counsel for contestant.)

Question. Where did you vote at the election of November 5, 1878?—

* Answer. In Lawrence Township.

Q. For whom did you vote for Congress at said election?—A. Curtin, I suppose.

Q. Don't you know who you voted for?—A. Certainly, I voted for Curtin for Congress.

Q. Did you not pay a State or county tax a few days before the said election to E. M. Shaw?—A. Yes, sir; I did.

Q. Was that not less than thirty days before said election?—A. Yes, sir; I think it was.

Q. Had you paid any other State or county tax within two years preceding said election?—A. Yes, sir.

Q. To whom had you paid any other State or county tax?—A. I paid John Smith, over the river there, my school tax.

Q. Did you pay taxes to anybody else within said two years?—A. Yes; I think I did.

Q. To whom?—A. I don't mind.

Q. When did you pay such other tax?—A. It was inside two years; it was my poor-tax.

Q. Did you pay any other taxes within the said two years than those you have mentioned?—A. My road-taxes; I worked them out. Those are all the taxes I know of.

Q. Then, the only taxes you have paid within two years preceding said election were the taxes paid E. M. Shaw a few days before the election, and the school-tax to Smith, and the poor-tax and road-tax, are they not?

(Objected to by counsel for contestant for the reason that the question is leading and framed in such a way as to mislead the witness, and is therefore an improper question.)

A. Yes.

Q. Where was E. M. Shaw when you paid him the taxes a few days before the election?—A. He was down the main street by Leonard's; somewhere along that street. He was coming up with a team, and I was going down.

Q. What were you doing at that time?—A. I was not doing anything that day.

Q. Did you pay those taxes in money?—A. Yes, sir; I did.

Q. You speak of E. M. Shaw as the collector. Does he not sign his name R. E. Shaw?—A. Whatever is on the paper; isn't it R. E. Shaw?

Q. Is that the only tax you ever paid R. E. Shaw?—A. I paid him two taxes.

Q. Did you vote at the Presidential election of 1876?—A. Yes; I did.

Q. Was not the first tax you paid R. E. Shaw paid before said election, and did you not vote on that tax?—A. I don't mind whether I did or not.

Q. Was not that the payment of tax on which you voted at that election?

(Objected to as leading.)

A. I don't mind.

Q. What is your best recollection as to whether it was or not?—A. I don't mind much about it.

Q. Can't you remember when you paid the first tax to R. E. Shaw?—A. When he was constable the first year, and I paid taxes to him last year.

Q. Did R. E. Shaw give you a receipt when you paid him the taxes a few days before the election?—A. No, sir.

Q. When did he give you a receipt?—A. This morning I got the receipt.

Q. Did any one speak to you about seeing him for a receipt?—A. Some one; I can't remember who.

Q. Were you present when Shaw wrote the receipt?—A. Yes; I was there at Mr. Leonard's house when he wrote it.

Q. Did you see him write it?—A. No; he went up stairs to write it.

Q. Is the receipt you handed the one you got from him?—A. Yes, sir.

Q. How much tax was it you paid him a few days before the election?—A. I think it was thirty-seven cents.

Q. Was it not forty-two cents?

(Objected to by counsel for contestant for the reason that the question is leading, unfair, and calculated to deceive the witness and mislead him in his answer.)

A. Yes; I think it was forty-two cents, when I come to think about it.

Q. Did you ever see this paper before this morning, when Shaw gave it to you?—A. No, sir; I didn't see it until he handed it to me this morning.

Q. How many days was it before the election of November, 1878, that you paid him this forty-two cents tax?—A. I don't mind how many days; it wasn't more than about five or six days anyhow.

Adjourned at 6.15 to 7 o'clock p. m.

Now, 7 o'clock and 45 minutes p. m.

Q. Did you not pay but one State and county tax to R. E. Shaw, collector, before the one you paid a few days previous to the last general election?

(Objected to by counsel for contestant for the reason that the question is unfair and calculated to mislead the witness, and is leading, and is therefore an improper question.)

A. Yes.

(Counsel for contestant here objects and protests to the taking of the testimony of this witness relative to or concerning any fraud or illegality in the election of November 5, 1878, in Lawrence Township, Clearfield County, Pennsylvania, for the reason that in the answer of the contestee to the notice of contest for his right to a seat in the Forty-sixth Congress of the United States as Representative of the twentieth Congressional district of Pennsylvania, no frauds or irregularities are alleged in the holding of the election in Lawrence Township, and no notice was given and no allegation made that fraudulent votes were cast for contestant in Lawrence Township, Clearfield County, Pennsylvania. This objection is made to the testimony which has already been taken, and which may hereafter be taken, of the witness now sworn, and the contestant by his counsel reserves the right to move for the committee who shall hear the cause to strike out the testimony of the witness so far as the same relates to frauds and irregularities in the election of November 5, 1878, in Lawrence Township.)

Q. Did or did you not pay that tax to him some time during the Centennial in 1876?—A. Yes, sir.

Q. Was it or was it not paid prior to November of that year?

(Objected to by counsel for contestant for the reason that the question is leading.)

A. Yes.

Q. Are these the only two State and county taxes you paid to Collector Shaw?

(Objected to by counsel for contestant because the question is leading, is therefore an improper question to ask the witness.)

A. Yes.

Q. Did you ever pay any State or county taxes to any other person than Shaw?—A. Yes. I don't mind who was in before Shaw.

Q. Did or did you not pay them before you paid any taxes to Shaw?—A. Yes.

Q. Were you or were you not told by J. F. Snyder, esq., or any other person, to go and get a tax-receipt from Collector Shaw?—A. It was not Mr. Snyder, when I come to think about it.

Q. By whom were you so directed?

(Objected to for the reason that the question assumes that the witness was directed to go to Collector R. E. Shaw and get a tax-receipt, whilst the witness has not so testified.)

A. I say it was Mr. Krebs.

Q. Do you or do you not mean D. L. Krebs, esq., one of the counsel in this contest?—A. Yes.

Q. Is or is not the wife of Mr. Krebs related to Collector Shaw?

(Objected to by counsel for contestant, for the reason that the question is leading, immaterial, and irrelevant to the matters at issue, and it is attempted to cast reflections upon persons who have no connection whatever, either as parties or counsel in the cause in which testimony is being taken, through the testimony of the witness, which, unless it be based upon his own personal knowledge, is hearsay, and therefore incompetent as evidence.)

Counsel for contestee deem it just and proper, after the foregoing objection, to state that nothing more is intended by the question than to show the relationship between said counsel and the tax-collector, the same to be followed by proof that the receipt thus procured was dated back.

Counsel for contestant still objects to the question, for the reason that the relationship of the party named in the question is immaterial and irrelevant as evidence in the contest by Hon. A. G. Curtin for a seat in the Forty-sixth Congress of the United States, and for the further reason that it is not attempted or intended by the statement of the counsel for contestee to show that the person named in the question had anything whatever to do in the procuring of the receipt mentioned, and the testimony of the witness is therefore immaterial and irrelevant, and based upon hearsay. This objection is made by J. F. Snyder, of counsel, in the absence of Mr. Krebs.)

A. If she is a Shaw, she is; of course the boy is related to her; I mean the collector, R. E. Shaw.

Q. Is or is not R. E. Shaw, the collector, a Democrat?—A. I think he is.

Q. Will you produce and read the receipt which you got from Collector Shaw this morning?—A. I will; but I can't read it.

Q. Will you hand it to the notary for the purpose of having it copied?—A. Yes.

(Witness produces the receipt, which reads on its face as follows:)

“LAWRENCE TOWNSHIP,
“Clearfield Co., Pa., Aug. 24th, 1878.

“Received of Otto Reed the sum of $\frac{42}{100}$ dollars, being his county and State taxes for the year 1878 on his property situate and assessed in Lawrence Township.

\$0.42.

“R. E. SHAW,
“Collector.”

Endorsed on the back in lead pencil (as is the unprinted portion of the face of the receipt, also the figure 7 written over the figure 8 in the date, and the figure 6 written over the figure 7 in the 1877 in the body of the face of the receipt, changing it from 1877 to 1876, as the date is changed from 1878 to 1877) as follows:

"His State and county taxes for 1877 was paid the last of August or the first of Sept., 1878, which I am willing to be qualified to, but cannot remember the date.

"R. E. SHAW,
"Collector."

(Counsel for contestant reserving, expressly, all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony before the committee of Congress who shall hear the cause to the objections to the witness testifying, proceeds to cross-examine.)

Q. Were you or were you not born in the United States?—A. Yes.

Q. Were you or were you not born in Clearfield County in the State of Pennsylvania?—A. Yes, sir.

Q. Did you or did you not reside in Lawrence Township, in Clearfield County, and in the State of Pennsylvania, more than six months preceding the general election of November 5, 1878?—A. Yes.

Q. When were you born?—A. In 1854.

Q. Where were you in the year 1875?—A. In Nebraska.

Q. When did you return to Pennsylvania, and were you in Nebraska when the general election of 1876, at which Tilden and Hayes were candidates for the Presidency of the United States, was held?—A. It was in 1875 sometime when I returned.

Q. In what month were you born?—A. On the 4th day of March.

Q. Did you or did you not in the year 1876 pay a State or county tax to Nathaniel Rishel, collector for Lawrence Township?—A. Yes, sir.

Q. Was not this the tax which you paid before the election of 1876, and upon which payment you voted at the election of November, 1876?—A. Yes.

Q. Then you were mistaken, were you not, when you said in your direct examination that you had paid R. E. Shaw during the Centennial in 1876 your State and county tax for the year 1876?—A. No; I paid it in 1876.

Q. What time in 1876 did you pay it to R. E. Shaw?—A. That's more than I can tell you.

Q. Was it before the first of September in 1876?—A. That's more than I can tell you.

Q. Did you or did you not pay to R. E. Shaw, during the year 1877, a State and county tax?—A. If he was constable I did.

Q. Do you not know that you paid him such taxes in 1877, and have you not told persons that you paid him taxes in that year?

(Objected to because the witness has already stated that he paid the taxes referred to in 1876 and not in 1877.

Counsel for contestant objects to the foregoing objection of counsel for contestee for the reason that the objection states that the witness testified that he had paid the taxes referred to in 1876 and not in 1877, while the question asked does not refer to taxes which witness testifies were paid in 1876, but simply asks whether or not he did not pay a State or county tax without mention of the year for which the same were assessed in 1877.)

A. No; I haven't told any person. No; I don't mind who I paid it to in 1877; I don't think he was constable in 1877.

Q. Did you pay a State or county tax in 1877?—A. I did.

Q. If R. E. Shaw was collector of State and county taxes for the year 1877, in Lawrence Township, then did you pay the same to him?—A. Yes, sir.

Q. Do you not remember that during the latter part of the summer of 1877 and during the month either of August or September, 1877, you paid R. E. Shaw 42 cents, or near that amount, your State and county taxes, for which you received no receipt at that time?—A. I do not.

Q. If R. E. Shaw would say that you paid him taxes at that time, would you rely more upon him and his saying that you had paid said taxes at said time more than you would upon your own recollection?

(Objected to by counsel for contestee because the question is unfair to the witness and is designed to mislead him, and also because it asks the witness to pass upon the credibility of R. E. Shaw, and to say whether R. E. Shaw's recollection is better than the recollection of the witness, and also because it is hearsay, and for the further reason that it is not cross-examination.)

A. Yes.

Q. Did you or did you not pay a State or county tax to R. E. Shaw, collector, in the year 1878?—A. Yes.

Q. Was or was not this tax paid to him about two weeks before the September term of court?—A. I don't recollect.

Q. Was it not paid to him before the September court of 1878.

(Objected to by counsel for contestee for the reason that the witness has already sworn that the taxes which he paid to R. E. Shaw in 1878 were paid a few days before the election of November 5, 1878, and not more than five or six days before said election.)

A. I don't remember whether it was or not.

Q. Was it not paid to him four or five weeks before the election, and was it not paid to him before the Dill Club was organized at Montgomery and Mount Joy school houses?—A. I don't remember.

Q. Then you cannot remember positively, can you, when you paid the taxes to R. E. Shaw in 1878?—A. No, sir.

Q. If R. E. Shaw would swear that you paid your State and county taxes to him in August or September 1878, would you depend more upon what he would say as to the date when you paid said taxes than you would upon your own recollection, would you?

(Objected to for same reason as stated in objection to last question of like character.)

A. Yes, sir.

Q. When did you first speak to R. E. Shaw and ask him for a statement of the State and county taxes which you had paid him?—A. This morning.

Q. What time this morning?—A. About ten or eleven o'clock.

Q. Did he hand you the statement which you handed to the notary, and which was copied into your testimony?—A. Yes.

Q. Can you or can you not read the statement, and did you not read the statement which he gave you?—A. No, he read it to me this morning.

Q. Was what he read to you the truth, so far as it related to the payment of State and county taxes in the years 1877 and 1878, so far as you know?—A. Yes.

Q. When you asked R. E. Shaw for this statement, what did you say to him?—A. I told him I wanted a receipt for my taxes.

Q. Did you or did you not ask R. E. Shaw to date back your receipt?
—A. No, I didn't.

Q. What did R. E. Shaw say to you when he handed you this statement?—A. He said he did not recollect the day and date when I paid him.

Q. Did or did not he say that he did not recollect the day and date when you paid him your taxes last fall, that is, 1878?—A. He said he didn't recollect the day and date.

Q. Did he not make this remark to the taxes which you paid in 1878, that is, last fall?—A. No.

Adjourned at 11 o'clock p. m. to 8 a. m., February 22, 1878.

8 O'CLOCK 30 MINUTES A. M.

Question. Were not the taxes you paid R. E. Shaw in 1878 paid to him some time during the summer or early part of the fall.

(Objected to because the witness has already been asked whether these taxes were not paid about two weeks before the September court.)

Answer. Yes.

Q. Have you, since you were last on the stand, consulted with R. E. Shaw, and from what you learned from him and from your own recollection, do you believe that you paid him a State or county tax on or about August 24, 1877, as is stated in the receipt or statement given you yesterday by R. E. Shaw.

(Objected to as leading and designed to mislead the witness.)

A. Yes.

Q. Did you or did you not ask R. E. Shaw to give you a receipt for your State and county taxes, and to date it in such a way as to show as near as possible when you paid your taxes to him?—A. Yes.

Q. Did he then hand you the receipts or statements which you handed to the notary yesterday, and which was copied by him into your testimony?—A. Yes, sir.

Q. In your examination you said that Mr. Krebs told you to go to R. E. Shaw, collector, and get a receipt for your taxes; will you please state just what Mr. Krebs told you.—A. I was down in the sheriff's office. He told me I should go and see Mr. Shaw to get a receipt for my taxes.

Q. Were there not a number of other persons in the sheriff's office at the same time when Mr. Krebs made the remark to you?—A. Yes.

Q. Had or had not Mr. Gordon, counsel for contestee in this case, your receipt before you had shown it to any other person, and did you not go to him before you were called to testify and ask him for it?—A. When I first came to town here I seen Mr. Gordon and showed him the receipt.

Q. Did you not hand it to him and did he not have it for a short time?—A. Yes, sir; he had it for a few minutes. Mr. Snyder told me I was very foolish for giving it to him. He told me to go and get it, to get the receipt back. I went to him and asked him for the receipt, and he gave it to me. He had it but a few minutes; a very short time, anyhow.

Q. Did you not then put the receipt in your pocket?—A. Yes, sir.

Q. Did either Mr. Krebs or J. F. Snyder have the receipt until it was handed to them yesterday while you were testifying?—A. I think Mr. Snyder had it when I came in the room.

Q. In answering the last question, did you not state that you handed the receipt, you thought, to Mr. Snyder when you came in this room to testify, and was the answer taken down by the notary a mistake?—A.

When I first came in the room, when I was sworn, I pulled my receipt out of my pocket and threw it over on the notary's table, and the notary copied it. I don't know who else read it. I don't mind.

Q. Did you not shortly after you came into the room yesterday afternoon hand the receipt to Mr. Murray or to Mr. Gordon, counsel for contestee, and did they not keep it until last night, when it was handed to you and by you handed to the notary and by him copied?—A. Well, I don't remember.

Q. Then neither Mr. Krebs nor Mr. Snyder had the receipt until after it was copied by the notary, had they?—A. I think I showed it to Mr. Snyder before it was copied.

Q. Mr. Snyder did not take it out of your presence, did he, until after it was copied?

(Objected to as leading, and also it is a question by J. F. Snyder as to the conduct of J. F. Snyder, the same individual, during this examination, instead of the cross-examination of the witness.)

A. I think I gave it to him, and he read it and handed it back to me.

Q. Did you see R. E. Shaw on the day of the election of November 5, 1878?—A. I don't recollect whether I did or not.

Re-examined:

Q. You were subpoenaed on Mr. Yocum's side of the case, were you not?—A. Yes; I think I was.

Q. Did any of Mr. Yocum's counsel speak to you about this receipt before you got the receipt from R. E. Shaw and gave it to them?—A. There was nobody said anything to me about it, but Mr. Krebs told me I had better go and get a receipt.

Recross-examined:

Q. Did you not say that you did not remember the exact time when you paid your taxes to Shaw?—A. Yes.

Q. Were you not asked by some one—either Mr. Krebs or some other person present, whether Shaw had given you a receipt at the time?—A. Yes.

Q. Are you sure that Mr. Krebs said you should get a receipt from Mr. Shaw or a statement of the time when Shaw said the taxes were paid?—A. Yes, sir; I think he said a receipt.

Re-re-examined:

Q. Did Mr. Krebs speak to you first or you to him on the subject of a receipt?—A. I think I spoke to him first, and showed him the receipt.

Q. I mean at the time he told you to see R. E. Shaw and get a receipt.—A. I think I spoke first to Mr. Krebs.

And further saith not.

F. O. REED.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.

J. MITCHELL REED sworn.

(Counsel for the contestant make same objections as before, and that the 22d day of February is a legal holiday; and for the further reason that under the act of general assembly of Pennsylvania of 2d of April, 1873, and under the supplements thereto, and under the general Statutes of the United States, the 22d day of February is declared to be a legal holiday, and counsel for contestant reserve the right to move the committee of Congress who shall hear the cause to strike out the testimony for the reason stated in the foregoing objections.)

Question. Are you the J. Mitchell Reed who was called as a witness and testified on behalf of the contestant some time during last week or the week before?—A. Yes, sir.

Q. Since you before testified have you considered what State or county taxes you paid within two years immediately preceding the general election of 1878, and did you pay any such taxes other than those testified to?

(Counsel for the contestant objects to the witness further testifying since it is evident that the witness sworn is J. Mitchell Reed of Lawrence Township, Clearfield County, and the counsel for the contestant protest and object to the taking of the testimony of this witness relative to or concerning any fraud or illegality in the election of November 5, 1878, in Lawrence Township, Clearfield County, Pennsylvania, for the reason that in the answer of the contestee to the notice of contest for his right to a seat, by A. G. Curtin in the Forty-sixth Congress of the United States as Representative for the twentieth Congressional district of Pennsylvania, no frauds are alleged in the holding of the election in Lawrence Township, and no notice was given, and no allegations made that fraudulent votes were cast in Lawrence Township in said county; and the contestant, by his counsel, reserve the right to move before the committee who shall hear the cause to strike out the testimony of the witness so far as the same relates to frauds and irregularities in the election of November 5, 1878, in Lawrence Township.)

A. Yes.

Q. To whom did you pay such tax and when, as near as you can tell?—A. To Launsberry; I don't recollect his first name; he was the son of Robert Launsberry who was collector for Lawrence Township, and he died.

Q. Did he die while he was collector of State and county taxes for Lawrence Township?—A. Well, I suppose he did; his son told me so.

Q. Did his son act as collector and collect the taxes on his duplicate after his death?—A. Yes.

Q. When did you pay the said State or county tax to him?—A. On the last of June or first of July, 1877.

Q. Have you a receipt for it?—A. I had a receipt but I have lost it; at least I can't find it.

Q. Were you personally acquainted with Collector Launsberry, who died?—A. No; I don't know that I ever saw him to know him but once.

Q. Are you sure his first name was Robert, or might you be mistaken as to that?—A. I am not sure only from hearsay.

Q. Might or might not his name have been David Launsberry?

(Objected to for the reason that it is leading and irrelevant and immaterial.)

A. It might have been; I don't know what his name was; I know it is Launsberry.

(Counsel for contestant, reserving expressly all legal exceptions to the foregoing testimony, and particularly reserving the right to move to strike out the testimony of witness before the committee of Congress who shall hear the cause, for the reasons stated in the objections to the witness testifying, proceeds to cross-examine.)

Q. What do you now say was the name of Collector Launsberry?—A. I say it was Launsberry, but whether it was David, Samuel, Robert or William, I can't say.

Q. Were you personally acquainted with the man to whom you paid the taxes; if so, what was his name?—A. I am not personally acquainted with him; I don't know what his first name was.

Q. When did you last see the receipt?—A. I don't know that I ever saw it after the day he gave it to me.

Q. Are you certain it was for a State or county tax?—A. Yes.

Q. Why are you certain?—A. He showed me a letter from the commissioners' counsel stating that they must have the tax before the next court.

Q. Will you please give the name of the counsel to the commissioners, whose name was signed to the letter?—A. I think it was Mr. Test.

Q. For what year was this tax assessed?—A. I don't know what year. It might have been two or three years before that, that it was assessed.

Q. Was it not for 1873?—A. I don't know.

Q. When did Collector Launsberry die?

Q. What led you to consider this matter since you last testified on part of contestant, and what leads you now to swear that you paid these taxes in 1877, whilst in your testimony before John W. Wrigley, notary, you swore that you had not paid any other State or county taxes than the taxes you mentioned in your testimony before said notary?—A. When I left the court-house on the day I testified I met Nathaniel Rishel, and I spoke to him about taxes, asked him what year he was collector for State and county taxes, and he named over the last three collectors, Launsberry, Rishel, and Shaw. It was that that made me recollect that Launsberry was the collector. It escaped my memory when I testified in the court-house.

Q. Do you not now remember that it was in the year 1876, and during the Centennial, when the person representing himself to be the son of Collector Launsberry came to you and said that he was his father's administrator, and that he wanted you to pay some old taxes which his father had had against you for collection?—A. No, I don't recollect anything of the kind; but I do recollect that it was in 1877 he came to my house. That was the first time I knew that he was collector.

Q. Did you pay the money to young Launsberry for your taxes?—A. Yes.

Q. How long, if you know, after the duplicate is placed in the hands of the collector is it that his warrant expires?

(Objected to because the question asked is one of law and not of fact.)

A. I never studied law, but I think it is two years.

Q. Do you not know for what year Launsberry was collector?—A. I said before I didn't know.

Q. Is the tax you now speak of the only State and county tax which you now claim to have paid during the collectorship of Rishel, Launsberry, Shaw and Owens?—A. The only State and county tax I claim to have paid was to Launsberry, Rishel, and Shaw, within two years.

Q. Will you please state in what year you paid a State or county tax to Nathaniel Rishel?

(Objected to because it is not cross-examination.)

A. Well, I think it was in May, 1877. I am not altogether certain that it was in 1877 or 1878. He was collector of school tax, poor tax, and State and county tax. He had all the duplicates at the same time.

Q. Now, if Nathaniel Rishel was not collector of State and county taxes after the 1st of November, 1876, did you pay him as collector a State or county tax?—A. Yes; I paid State and county and poor tax at the same time. I put in railroad ties in both 1876 and 1877, and run them down the river from Hog Back to the railroad bridge, and out of the money I got from them in May, 1877, I paid Nathaniel Rishel on the court-house steps all the tax, except school tax, that he had against me.

Q. May you not have made this payment in 1876, in May, instead of May, 1877?—A. No; I didn't make a mistake.

(Counsel for contestee objects to the last question, for the reason that the witness has not said that he paid the taxes in May, 1877, as we understand his testimony, but that he then got the money to pay it.)

Q. With what person did you consult in reference to your testimony immediately after you had testified on the part of the contestant some two weeks ago?—A. I stated before, it was Rishel. I talked to Mr. Gordon afterwards. I spoke to him about Launsberry's tax, and told him I had forgotten it, and if he would have me called that afternoon I would make the correction.

Q. Do you not depend upon what Nathaniel Rishel told you in your fixing the date when you paid Launsberry his tax?—A. No, I don't; my attention was called to it by Rishel; then I recollected the whole circumstance.

Re-examined:

Q. State whether you spoke to Mr. Gordon first, or he to you, after you were sworn on the other side in this case.—A. I spoke to Mr. Gordon first; asked him I would like to be recalled.

Q. What was his reply?—A. His reply was that he would have me recalled if he could, but did not know whether they would let him or not, but if they didn't "we would subpoena you again."

Q. Between the time you were subpoenaed on Curtin's side and the time you were sworn for them did any of Yocum's counsel approach you and talk to you on the subject of your testimony?—A. No, sir; I didn't see any of Yocum's counsel from that day till yesterday.

And further saith not.

J. M. REED.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

Adjourned from 12.15 to 1 p. m.

Now, 1.25 p. m.

H. E. LANICH sworn.

(Counsel for contestant protest against the taking of the testimony of this witness before William Radebaugh, notary public, or any other person or persons, on this the 22d day of February, 1879, for the reason that under the laws of Pennsylvania and of the United States the 22d day of February is declared to be a legal holiday, and counsel for contestant further object and protest to the taking of the testimony of this witness relative to or concerning any fraud or illegality or irregularities in the election of November 5, 1878, in Lawrence Township, Clearfield County, for the reason that in the answer of the contestee to the notice of contest for his right to a seat in the Forty-sixth Congress of the United States as Representative for the twentieth Congressional district of Pennsylvania no frauds are alleged in the holding of the election in Lawrence Township, and no notice was given, and no allegations made in said answer that fraudulent votes were cast for contestant in said township.)

The counsel for contestant reserve the right to move the committee who shall hear the cause to strike out the testimony of the witness now sworn, so far as the same relates to frauds, irregularities, and to fraudulent votes cast at the election of November 5, 1878, in Lawrence Township.)

Q. Where do you reside?—A. In Lawrence Township, Clearfield County, Pennsylvania.

Q. Did you vote in said township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Did you yourself pay a State or county tax within two years and more than one month preceding said election?—A. I did not myself, but it was paid.

Q. By whom?—A. By Israel Test.

Q. Did you ever pay to Mr. Test the amount of said tax; and, if so, when?—A. I paid him about a week before the election, as near as I can tell.

Q. Do you know of your own knowledge when Mr. Test paid that tax?—A. Not any more than what the receipt shows.

Q. When did you receive that receipt and from whom?—A. From Mr. Test when I paid him the tax.

Q. Was or was not that within thirty days preceding the election?—A. About a week before the election.

Q. When did you first learn that your taxes had been paid?—A. I believe it was on the evening of the 6th of October.

Q. Who told you?—A. John Howe.

Q. Was or was not that the first conversation you ever had with any one in regard to that tax?—A. I think it was.

Q. Had you ever paid any other State or county tax within two years preceding said election?—A. No, sir.

Q. When did you pay the last State and county tax prior to the one paid by Mr. Test?—A. In 1876, October the 5th or 6th.

Q. Did or did you not vote on that payment of tax at the general election of 1876?—A. I did vote on that tax of 1876.

Q. Did you ever authorize Mr. Test to pay your State and county taxes?—A. No, sir.

Q. When and where were you born?—A. I was born in Lawrence Township, Clearfield County, Pennsylvania, in 1849.

Q. Did you reside in said township with your wife for more than one year immediately preceding the general election of 1878?—A. Yes, sir.

(Counsel for contestant, reserving the same exceptions and objections as in the case of preceding witnesses, proceeds to cross-examine.)

Q. Have you the receipt of which you spoke in your examination-in-chief?—A. Yes, sir.

Q. Please produce and read it.

“TREASURER’S OFFICE,

“*Clearfield, Pa., Oct. 5, 1878.*

“Received of H. E. Lanich the sum of 32 cents, being county and State tax for the year 1878 on his property situated and assessed in the township of Lawrence.

$\frac{32}{100}$

“WRIGHT.”

(Across the face :) Duplicate receipt.

Q. Do you know David McGaughey, the treasurer?—A. Yes, sir.

Q. What is his politics if you know?—A. I don’t know.

Q. Was he elected county treasurer in opposition to the candidate of the Democratic party?—A. Yes, sir.

Q. Did you live in Lawrence Township with your family the sixty days immediately preceding the 5th of November, 1878?—A. I think so.

“D. McGAUGHEY, *Treasurer.*

Q. Did you move into Lawrence Township for the purpose of voting in that township?—A. No, sir.

Re-examined:

Q. What is the politics, if you know, of Mr. Wright, whose name appears upon the receipt you have read and by whom it purports to have been written?—A. I think he is a Democrat; I don't know.

Q. Do you know why the word duplicate is written across the face of your receipt?—A. No, I don't, unless it is a duplicate receipt.

Q. Is this the only receipt you ever received for this tax?—A. No, sir.

Q. When, and from whom, did you receive it—I mean the duplicate?—A. From Mr. Test, about a week before the election.

Q. Did you ever have an original of which this purports to be a duplicate?—A. Yes, sir; I have.

Q. Will you produce it?—A. Yes, sir.

Q. When did you get this original receipt?—A. The day of the township election of February 18, 1879.

Q. From whom?—A. John McBride.

Q. When did you last move into Lawrence Township preceding the general election of 1878?—A. I never was out of the township.

Recross-examined:

Q. Will you please read the receipt you got from John McBride?—A. Yes, sir.

“TREASURER'S OFFICE,
“Clearfield, Pa., October 5th, 1878.

“Received of H. E. Lanich the sum of thirty-two cents, being county and State tax for the year 1878, on his property situate and assessed in the township of Lawrence.

\$ $\frac{32}{100}$

“D. McGAUGHEY,
“Treasurer.”

Q. Did you, when you were informed Mr. Test had paid your tax, repay him the full amount as soon as you saw him?—A. Yes, sir; about a week before the election I paid him.

And further saith not.

H. E. LANICH.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

A. M. BLOOM recalled and sworn.

(Contestant reserves the objections and exceptions as made heretofore to the preceding witnesses, reserving the same rights.)

Question. Since you were last examined as a witness in this contest, have you compared, word for word and figure for figure, the copies of oaths which you testified to for Newburg and Wallacetown Boroughs, and Bell, Boggs, Knox, and Morris Townships, and which were offered in evidence and marked Exhibits A, B, C, E, F, and G, and having found them to be correct, full, and complete copies?—Answer. I have, and found them to be correct.

Cross-examined:

Q. How did you make the examination?—A. By having the original and copy before me.

Q. When was the examination made?—A. This forenoon.

Q. Did you retain possession of the papers or are you sufficiently familiar with them so as to enable you to say the papers now presented

are the same papers you compared this forenoon in the manner you have stated?—A. I did not retain possession of them, but I know they are the papers.

And further saith not.

A. M. BLOOM.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

WILLIAM McCLELLAN sworn.

(Contestant, as to this witness, reserves the same exceptions and objections, on account of notice, time, and examination, as were made to the examination of all the preceding witnesses.)

Question. Where do you live?—Answer. In the borough of Clearfield, Clearfield County, and State of Pennsylvania.

Q. Are you a son of John McClellan?—A. I am.

Q. Is he a collector of State and county taxes for Clearfield Borough, and if so, for what years assessed?—A. He is. I can't state all the years; he was collector for a number of years.

Q. Have you not been attending to the collection of taxes and giving receipts for him?—A. I have, until the last ten months. I gave some receipts to some persons that came to the store.

Q. Did you, in November, 1878, draw a receipt for the State and county tax, for the year 1876, for John Kittlebarger?—A. I gave John Kittlebarger a receipt, but as to the year 1876 or 1877, I cannot state.

Q. When did you write that receipt?—A. On the 5th of November, 1878.

Q. What date did you put in it?—A. I cannot swear to that, but think it was October 4.

Q. Then you drew the receipt, did you, on November 5, 1878, and you think you dated it October 4, 1878?—A. I did.

Q. Are you sure that the date you put in it was at least one month before the day it was written?—A. I am.

Q. By whose direction did you thus draw that receipt?—A. I cannot swear to that. Kittlebarger came into the store. I think father told me to write it; I did so.

Q. Did Kittlebarger say they had challenged his vote for non-payment of taxes?—A. I think he did; I would not be positive.

Q. To whom did you give the receipt?—A. I can't remember; think it was to Kittlebarger.

Cross-examined:

(Contestant, reserving the same exceptions as to the other witnesses, proceeds to cross-examine:)

Q. Did you, at any time, settle with Mr. Kittlebarger an account between your father and Kittlebarger.

(Objected to because it is not cross-examination; nothing was asked the witness in his direct examination about any settlement.)

A. I did.

Q. When, as near as you can tell?—A. As near as I can tell it was in the spring of 1876.

Q. Was there not a balance due Kittlebarger?—A. There was.

Q. Do you know whether or not several months before the election of November, 1878, it was agreed between your father and Kittlebarger that your father should mark the taxes he had against Kittlebarger paid, and Kittlebarger credit him with the amount on the account he owed Kittlebarger?

(Counsel for contestee objects to the witness answering said question, unless he was present at and heard said conversation; objects to all hearsay.)

A. I know nothing of that transaction.

Q. Did not your father, who was collector, tell you to draw the receipt because Kittlebarger had, in some way, paid the tax before October 1, 1878?

(Objected to as hearsay, incompetent, and immaterial.)

A. I think he told me to write the receipt; cannot say what he said about the tax being paid.

Q. Did not Kittlebarger claim that he had paid the tax by some arrangement at the time your father and he came to you for the receipt?

(Objected to the same as last objection.)

A. I cannot answer that question.

Q. Did you draw this receipt because your father directed you?—A. I cannot state whether he directed me or not.

Q. Would you have drawn a receipt and dated it back without instructions from your father?—A. I cannot swear to that.

Q. What do you mean by that answer?—A. I might and I might not.

Q. Have you not heard your father say that Kittlebarger had paid his taxes long before the election?—A. I have.

Q. Do you know how they were paid to your father?

(Counsel for contestee objects to the witness testifying to anything that he does not know of his own knowledge, and because it is not cross-examination and is hearsay.)

A. At the time Kittlebarger and I settled there was a balance coming to Kittlebarger. I cannot state the amount.

Q. Was the amount more than the State and county tax your father as collector had against Kittlebarger?—A. I cannot answer that question.

Q. What is your recollection?—A. I think it was in the neighborhood of \$3. I mean the amount he had against father.

Q. Was not his tax less than \$3?—A. I think it was.

Re-examined:

Q. Did Kittlebarger come to see you at the store immediately after his vote was challenged?—A. I do not know what time his vote was challenged.

Q. Was it in the forenoon or afternoon of election day that he came to see you?—A. I do not remember what time in the day he came there.

Q. Did William Tucker, or any other person, come with him?—A. Do not recollect of William Tucker being in the store at the time Kittlebarger was there.

Q. Had he, Tucker, spoken to you about it before?—A. He may have, but do not recollect.

Q. Did you have the duplicate with you when you drew the receipt?—A. I think it was there.

Q. Did you mark the taxes paid on the duplicate at the time you gave the receipt?—A. I do not remember.

Q. Did you look at the duplicate to ascertain the amount of the taxes before drawing the receipt?—A. I think I did.

Q. Did you or did you not mark the taxes paid as of the date you put in the receipt?—A. I can't swear whether I marked them paid or not.

Q. Do you know whether they were marked paid by any one?—A. Yes, sir.

Q. By whom were they marked paid, and was it done in your presence, and when?—A. I marked them paid myself. I cannot state when.

Q. Was it on election day?—A. I think it was some time after.

Q. Have you any idea how long after the election they were marked paid?—A. I cannot state the time.

Q. Was it or was it not some time during this year, 1879?—A. I think it was, to the best of my recollection.

Q. On the day of election, then, those taxes were not marked paid, were they?—A. I believe not.

Q. Are the taxes you have referred to those for which you gave Kittlebarger the receipt?—A. Yes, sir.

Recross-examined:

Q. You do not know anything of the arrangement between your father and Kittlebarger for the payment of this tax, nor when it was made?—A. I did not before Kittlebarger was subpoenaed.

And further saith not.

W. P. McCLELLAN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

Copies of oaths for Newburg and Wallaceeton Boroughs, and Bell, Boggs, Knox, and Morris Townships, marked Exhibits A, B, C, E, F, and G, and certificate as to Chest Township oaths, marked Exhibit D, reoffered in evidence.

Contestant, by counsel, renews the objections before made to the admission of these papers.

JAMES E. WATSON sworn.

Contestant, by counsel, makes the same objections as to the preceding witnesses.

Question. Mr. Watson, state if you were the Republican inspector of Clearfield Borough at the general election of November 5, 1878.—Answer. I was.

Q. State if you observed a difference between the Republican and Democratic tickets voted at that election, by which you could distinguish their outside appearance without unfolding them, and state, as nearly as you can, what this difference was.—A. There was a marked difference; after handling them the first hour I got so accustomed to them I could tell them without trouble. The difference in them that I distinguished them by was that the Democratic tickets were cut shorter, and the printing of the heading that is on the outside was a smaller style of print.

Q. Do you know James Mullen, of Centre County, or who is now in Centre County, and how long have you known him, and did he vote at that election in Clearfield Borough?—A. I have known him since 1844, and he voted at that election in Clearfield Borough in last November. I took his tickets at the window.

Q. Which of the two tickets did he vote that you described, and about what time of day did he vote?—A. He voted the short-cut ticket, which was the Democratic or Curtin ticket; I think it was about five o'clock in the evening. The reason I know, we were looking for him all day; were surprised that he didn't come sooner; we had been discussing his case all day, and expected a general time when he came.

Q. What were the politics of the other members of the board; that is, the judge and inspector?—A. Democrats.

Q. Did you oppose his right to vote, or express any opinion that he

was not entitled to vote?—A. When we talked about his voting in the morning I said that I would not be satisfied to let him vote. The balance of the board said we had no power to prevent his voting. When he came to the window and offered his vote I asked the other members of the board what I should do; they said, "Take his vote," and I took it.

Q. Did he not state to you, on the day after the general election of November, 1878, who he had voted for at that election, and what else did he say in that connection?—A. He said that he had "come out to give old Andy a hoist"; he expected to have trouble to get his vote, as he had been deprived of his vote, I think he said, in 1876.

Q. Who did you understand him to mean by old Andy?—A. Andrew G. Curtin. He was pregnant with Andy that morning. He spoke of conversation he had with Andy and his wife the day before.

Q. What took place when John Kittlebarger first offered to vote at said election?—A. The first thing that took place, Lon Adams, a Republican, challenged his vote. The next thing was, the ground stated was, the non-payment of taxes. The board offered to swear John Kittlebarger as to the payment of his taxes. John swore that if he was going to have so much trouble to get his vote, he wouldn't vote at all, and went off mad. The board called John McClellan, the tax collector; asked him if Kittlebarger had paid a tax—a State or county tax—within two years, and I think it was said more than thirty days previous to the election. John said first, that is, John McClellan, that Kittlebarger had not paid him any tax within two years. Then McClellan came back afterwards, and said he had paid part of his tax. The board said to McClellan, paying part of his tax would not entitle him to a vote, and McClellan came back a short time afterwards, and said that him and Kittlebarger had dealings to about the amount of Kittlebarger's taxes; that he considered his taxes were paid in that way. Towards evening Kittlebarger came back to vote, and handed a receipt for his taxes. The receipt looked as though it had been freshly written. My recollection of the receipt is that it was signed John McClellan, per Will; am not positive. We had asked Kittlebarger for a receipt in the morning, and he said he had none. I asked him the question as to when he got the receipt. The balance of the board called out loudly to me, "Let him vote, and have no more trouble with him." He made no answer when I asked him when he got the receipt.

Q. If any active Democrats of Clearfield Borough had anything to do with this transaction, and what they did.—A. I don't know of anything; there was some talk and figuring outside, but don't know what it was.

Q. Has James Mullen during the last five years or more been a resident of Clearfield Borough?—A. In 1873 was the last time I knew of his being here more than a day or two at a time.

Q. Where has been his residence and home since that time?—A. Bellefonte, Centre County, Pennsylvania.

Q. How long since he and his wife lived together as man and wife?—A. Not since 1873, when he was here for two or three months.

Q. State, if you know, whether he boarded or lived with her during that time.—A. No; not of my knowledge.

Q. How long have you resided in Clearfield Borough continuously, and has James Mullen had or conducted any kind of business whatever since 1873 in said borough?—A. I have resided in this borough since August, 1869. The only business or work of any kind that I have known Mullen to do in Clearfield Borough since 1873 was to attend store for my brother one week.

Cross-examined :

Q. Did you not vote the Democratic ticket for governor ; Greenback ticket for legislature and Congress, and in this way discovered the difference between the tickets that you have spoken of?—A. I voted for Mr. A. H. Dill for personal reasons. I voted for Reed and Yocum. I did not discover the difference in the tickets through voting for them.

Q. Was the difference in the tickets made in your opinion to perpetrate fraud on part of the Democrats, or do you charge that fraud was perpetrated at the Clearfield Borough poll, at the November election of 1878, by reason of the difference in the tickets that you speak of?—A. My answer to the first part of the question is that they were not with intention of fraud. The difference is accounted for by the different styles of type, paper, and printing ; and to the second part of question, there was no intentional fraud perpetrated by any one.

Q. Do James Mullen's wife and children now reside in Clearfield Borough, and did they for more than two months prior to 5th of November, 1878?—A. Yes.

Q. Do you know the age of their youngest child?—A. I do not.

Q. Could he, to the best of your opinion, from what you know of his whereabouts on the 4th and 5th days of November, 1878, have voted at any other poll outside of Clearfield County?—A. He could not.

And further saith not.

J. E. WATSON.

Attest :
[SEAL.]

WM. RADEBAUGH,
Notary.

Adjourned at 6.25 p. m. to meet at 8 a. m. February 24.

Met at 8 a. m. February 24, and adjourned to 1 p. m.

FEBRUARY 24, 1879—1 p. m.

Counsel present on both sides.

William Radebaugh, the notary public aforesaid, who hath thus far written all the testimony, hereby appoints Fred. O'Leary Buck a clerk to write down the testimony in the aforestated matter, that is, on the part of the contestee in the election contest between A. G. Curtin, contestant, and Seth H. Yocum, contestee, the reason for this appointment being, among other things, the inability of the notary to take down the testimony as fast as the circumstances and exigencies of the investigation require. Appointment is made at request of contestee, and clerk named by notary.

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

Fred. O'Leary Buck, being duly sworn, did depose and say that as clerk for William Radebaugh, a notary public for the county of Clearfield, and resident of the twentieth Congressional district of the State of Pennsylvania, and before whom the testimony of witnesses has been and is to be taken in the matter of the contest for a seat in the House of Representatives of the United States of America in the Forty-sixth Congress, between A. G. Curtin, contestant, and Seth H. Yocum, contestee, he would impartially and truly write down the whole of the evidence of each and every witness produced, sworn, or affirmed and examined in relation to any matter touching said contest, and in all things truly and faithfully perform his duty as clerk to the best of his ability.

FRED'K O'L. BUCK.

Sworn and subscribed before me this 24th day of February, 1879.

[SEAL.]

WM. RADEBAUGH,
Notary Public.

Contestant by counsel object to the right and power of the notary to appoint the person designated, or any other person, to take the testimony of witnesses in the cause pending, the act of Congress not authorizing such appointment. This objection is made to the taking of the testimony of each and every witness who may be called, and whose testimony may or shall be taken down by the person designated, without formally renewing this objection to each and every witness.

JAMES BRADLEY SWORN :

Question. Where do you live?—Answer. Houtzdale, Clearfield County.

Q. Where did you vote at the general election of November 5, 1878?
—A. Houtzdale Borough.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Have you within two years preceding said election paid a State or county tax?—A. No.

Cross-examination :

Q. Where were you born?—A. Ireland.

Q. Are you naturalized?—A. No ; but I am a citizen.

Q. How?—A. I came to this country in 1837. I was then eight or nine years of age ; my father was a citizen long before I became of age.

Q. Was your father naturalized before you came of age?—A. He was.

Q. How long have you resided in Houtzdale Borough?—A. About nine years.

Q. Have you voted in the borough or since it became a borough?—A. Only twice to the best of my recollection.

Q. When was that?—A. I voted for Hayes at Hayes's election, and at last fall's election.

Q. Did you live in the borough more than two months immediately preceding the 5th of November, 1878?—A. I did ; I lived two years.

Q. When did you pay your last State and county tax?—A. Before Hayes's election.

Q. Did any one pay State and county tax for you before the election of 1878?—A. That I cannot say.

Q. Was your vote challenged?—A. No, sir.

Q. Was you informed that your tax had been duly and legally paid?
—A. No.

Q. How did you come to vote?—A. There was a tax-receipt handed to me on the morning of the election.

Q. What was the date of that receipt?—A. The date was right as required by law.

Q. Was the receipt examined by the board?—A. They looked at it, and I then voted.

Q. Who was the receipt signed by?—A. Patrick Dugan.

Q. Was he collector of State and county tax for Houtzdale Borough?
—A. Yes.

Q. Do you know whether or not you were registered?—A. I was told I was.

Q. Was there any objection to your voting on the grounds that you were not registered?—A. No.

Q. Did the members of the board or any of them know you personally?—A. They all knew me.

Q. Did they require you to produce your father's papers?—A. No.

Q. Do you know whether or not they required anybody to produce papers?

(Objected to because it is not cross-examination, and also incompetent as not the best evidence.)

A. I do not know.

Q. Did you read your ticket?—A. No.

Q. Who did you vote for for governor?—A. I told a man to make up my papers; I told him all I cared about to vote for was Andrew G. Curtin, and he says, "Here is the ticket," and that is all I looked at.

Q. Do you know any other name on the ticket you voted?—A. I do not.

Q. Did you read the ticket?—A. None but Curtin.

Q. Who subpoenaed you?—A. Mr. Chase, of Houtzdale.

Re-examined:

Q. Who made up your ticket?—A. Mr. Patterson, of Houtzdale, an attorney.

Q. Is he or not an active Democrat, and did he or not work for Curtin and the Democratic ticket?

(Objected to by counsel for contestant, because it is immaterial and witness's answer would be irrelevant, as Mr. Patterson is a competent witness, and Mr. Patterson resides in the twentieth Congressional district and his testimony can be had.)

A. He appeared to be very active on the Democratic side.

Q. Is he not the man who gave you the receipt on the morning of the election?

(Objected to by counsel for contestant because the question is leading and immaterial.)

A. He is.

Q. Where is that receipt now?—A. About three weeks or a month after the election, Patterson asked me to see the receipt; he allowed there was something wrong with it. He put the receipt in his pocket and I have not seen it since.

Q. Did you or did you not, after you were subpoenaed to come here, ask Patterson for the receipt, and if so, what did he say?—A. The morning of the election, last Tuesday, I asked him for the receipt; he told me that he lost it; that was previous to me being subpoenaed to come here.

Q. Do you mean the borough election of last Tuesday?—A. Yes.

Q. Did you pay to Patterson or any one else the taxes called for in that receipt?—A. No.

Q. How long was it before the Presidential election of 1876, when Hayes was elected, that you paid the taxes that you voted on that election?—A. I don't remember the exact time, but I paid it in the right time, that is the legal time.

Q. Was it or not a month or more before that election?—A. It was some days before the time had expired for paying it that I paid it.

Q. About how many days before the election?—A. I cannot tell how many days is the legal time.

Q. About how many days was it before the legal time required for paying it in order to vote at that election?—A. I cannot remember exactly the number of days, but I can remember that I said to the collector that I was all right for a vote at the coming election.

Q. Was it or not over fifteen days before that election of 1876?—
A. I do not remember.

Q. Was it or not over five days before that election?—A. I paid it a few days before the time was up so that I could vote at that election.

Q. If the law required it to be paid over one month before that election, did you pay it over one month before the election?

(Objected to because the question is improper in form, the witness having been called by contestee.)

A. I did.

Q. Are you satisfied that it was over a week before that election?—
A. I am.

Q. Was or was not that the last tax you paid?—A. It was the last.

Q. What, if anything, did Matt McAteer, of Houtzdale, say to you a few days before the election of November 5, 1878, in reference to your voting at that election and his paying your taxes?

(Objected to because McAteer resides in the county of Clearfield, and within the twentieth Congressional district, and is a competent witness, and the declarations of McAteer are not competent evidence unless duly subpoenaed by the contestee and he fails to appear and testify.)

Counsel for contestee would state that he proposes to follow this question by proof that Matt McAteer was an active worker for contestant at that election and that he was prolific in distributing ante-dated tax receipts in contestant's interest.)

A. A few days after the time had expired for paying the tax, he was standing outside of the corner of his house in Houtzdale (office, I mean); Pat Dugan was standing by the side of him; McAteer said to me, "Jimmy, if you vote the Democratic ticket at this coming election, I will pay your tax and give you a receipt."

Q. What did you say in reply?—A. "All right," or something to that effect.

Q. Did you then understand and so say to McAteer or not, that you were not entitled to vote?—A. I said nothing to him. I passed on.

Q. Was McAteer or not an active worker for Curtin and the Democratic ticket at that election?—A. He was.

Recross-examination:

Q. Was anybody else present at this conversation but Dugan, McAteer, and yourself?—A. No.

Q. What day of the week was this, if you can tell?—A. I cannot remember.

Q. Did you get a tax receipt from McAteer?—A. No.

Q. Do you know whether or not it was arranged with Dugan in the time required by law by some one to pay your tax?—A. I do not know.

Q. What did McAteer do that constituted him an active Democrat?—
A. His talk would make him an active Democrat.

Q. How long have you known McAteer?—A. About three years.

Q. Does he not do the principal part of his work with his mouth?—A. In politics I suppose he does.

Re-examined:

Q. What was the date of this tax receipt, if you can remember?—A. I do not remember the date, but the date was so fixed on it that it made it legal for me to vote on.

Q. Was it not dated prior to the time at which you had that conversation with McAteer?—A. It was.

Recross-examination :

Q. What was the date of the conversation with McAteer?—A. It was either two or three days after the time for paying the tax.

Q. What day of the month was it?—A. I do not remember.

Q. What day of the month did the time for paying taxes expire?—A. I do not know any more than I heard people talk. I remember Dugan said that that was the last day for paying tax. I did not pay my tax; I did not think I would be there at the election.

Q. Cannot you tell now the date at which Dugan said this?—A. I cannot.

Q. Do you know, of your own knowledge, whether that was the last day or not?—A. Only as he told me.

Q. If he was mistaken, then, as to the last day, you do not know what the last day was?—A. I heard several say it was the last day besides Dugan.

Q. Your only knowledge of the time is what you heard other persons say on that subject?—A. That is all.

Re-examined :

Q. How long was this; that is, how many days before the conversation with McAteer that you heard Dugan say it was the last day for paying tax?—A. It was two or three days before the conversation with McAteer that I heard Dugan say that the time was up for any man who wanted to vote.

Q. Were many persons paying tax that day?—A. I did not see any person pay tax.

Recross-examined :

Q. Where was it that you and Dugan had the talk?—A. It was standing in front of Liveright's store, close to the station.

Q. Who did he say it to?—A. He said it to me. There were others there listening, too. I cannot say who the others were.

Re-examined :

Q. Is or is not Patterson's office in the same building and adjoining the office of McAteer?—A. At that time they both occupied the same room.

Q. Did they not work together in politics?—A. They appeared to be both Democrats.

Recross-examined :

Q. Did you see or know of Patterson working together with McAteer, other than the fact, as you are informed, that they are both Democrats?—A. All there was that I know is that McAteer gave me the promise to give me a tax receipt, and Patterson gave it to me.

Q. Did you not know that prior to last fall Patterson was a Republican, or were you not so informed?

(Objected to as not cross-examination, incompetent, and hearsay.)

A. I never heard?

And further saith not.

JAMES A. BRADLEY.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

RICHARD LILEY sworn.

Question. Where do you live?—Answer. In Houtzdale, Clearfield County, Pennsylvania.

Q. Did you vote in Houtzdale Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andy Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. No, sir.

Q. When did you last pay a State or county tax?—A. I could not tell the day it was paid. I got my receipt on the day of the election.

Q. From whom?—A. Mr. McAteer, the squire.

Q. Did you ever pay McAteer the amount of that tax?—A. No, sir.

Q. Did you ever request McAteer or any other person to pay said tax for you?—A. No, sir; I did not.

Q. Have you that tax-receipt with you?—A. No, sir.

Q. Where is it?—A. I gave it to McAteer; I don't know what he did with it.

Q. Did or did not McAteer come to you for the receipt after you voted?—A. Yes, sir; I gave it to him; McAteer came to me in the morning and said, "Lilley, you go and vote; your tax is paid." He gave me the receipt, and I went and voted; I did not know anything about it.

Q. Had you intended to vote at said election before McAteer gave you that receipt?—A. No, sir; because I was not able to pay my tax to get a vote.

Q. How long before the general election of 1878 was it since you paid a State or county tax?—A. I have not paid any State or county tax for eight or ten years. The last I paid was in Centre County.

Q. About how long ago is it since you moved from Centre County?—A. It must be eight or ten years.

Q. Whose name was signed to this tax-receipt—what collector's?—A. I can't read; Dugan was tax-collector.

Cross-examination:

Q. How long have you lived in Houtzdale Borough?—A. I have lived in the borough, I suppose, about five years.

Q. Did you live there more than two months immediately preceding the 5th of November, 1878?—A. I can't tell; my family lived there for the last fourteen years; ten years, I know.

Q. How long before the election was it that you were last out of the borough to stay for any length of time?—A. I think it was about August I came home the last time, and have been home ever since except when I went out to work.

Q. Did you present your tax-receipt to the election board?—A. Yes, sir.

Q. Can you tell which one of the board looked at your receipt?—A. I cannot, sir.

Q. Did not the board examine your receipt before they took your ballot?—A. They did, sir; they examined it and took my ticket, and gave me the receipt back.

Q. Did you read your ticket?—A. No, sir; I can't read none.

Q. Did you have any person read it for you?—A. No, sir.

Q. You got your ticket from McAteer?—A. Yes, sir.

Q. Do you know where he got it?—A. No, sir.

Q. Did not McAteer at the last election (I refer to the February elec-

tion, 1879) work against the straight Democratic ticket?—A. I do not know anything about that.

Q. Did McAteer read the ticket to you?—A. No, sir; he did not. I told him I wanted to vote for Curtin, and he handed me a Democratic ticket and I voted it.

Q. How do you know, when the ticket was not read to you, what ticket it was?—A. I might have voted for a jackass or a mule for what I know.

Q. Can you swear, then, that you voted for Curtin?—A. No, sir.

Q. Can you swear that you voted the whole or part of the Democratic ticket?—A. No, sir.

Q. Was there what they call sticker tickets used at that election, or did you hear of such tickets?—A. No, sir; I don't know anything about it. I was not at the election polls five minutes after I voted.

Q. The only thing that makes you think you voted the Democratic ticket is that you got your ticket from McAteer?

(Objected to as improper and calculated to mislead the witness.)

A. The reason I thought I voted it was because I wanted to vote for Curtin, and I thought he would not give me any other ticket. I had worked for Curtin for a great many years; I wanted to give the old man a hoist, and I did so to the best of my knowledge.

Q. If McAteer may have made a mistake in giving you a ticket, for all you know you may have voted for Mr. Yocum, or may not have voted for Congressman at all?

(Objected to as leading and calculated to mislead the witness.)

A. Yes, sir.

Q. Where was it that you met McAteer and got your ticket?—

A. Right before the house where the election was held.

Q. Was it a short time before the polls were closed?—A. It was about six o'clock, as near as I can tell.

Q. Was it in a building or out on the street that you met him?—

A. Right on the board walk.

Q. As I understand you, then, your purpose was to vote for Mr. Curtin, but you do not know whether you did or not, or whether you voted for Congress at all or not?

(Objected to as leading and misstating the substance of the witness's testimony.)

A. I may have voted for some of the girls in town for what I know. I intended to vote for Curtin, but I am no scholar.

Q. Of how many parts was your ticket made up?—A. I could not tell that, it was wrapped up with a little string around it.

Q. Was not McAteer working principally for Dill for governor, and did not Dill for governor have more votes than Curtin for Congress?—

A. I could not tell anything about that.

Q. Don't you know that Dill had a majority in Houtzdale while Curtin came out behind?

(Objected to as immaterial, incompetent, and not the best evidence.)

A. No, sir; I don't know it.

Re-examined:

Q. What has been your politics for the last twenty years?—A. Democrat for the last fifty years.

Q. You have always voted for Curtin have you not, including the times he was on the Republican ticket?—A. I voted for him when he was on the Republican ticket, the only time I ever voted the Republican ticket.

Q. How far were you from the window where you voted, when McAteer gave you the ticket?—A. About the length of this room, I suppose—about 20 feet.

Q. What ticket did McAteer say it was when he gave it to you?—A. The Democratic ticket, and for Curtin.

Q. You had asked him for a ticket for Curtin, had you not?—A. No, sir; he came to me in the morning and said: "Liley, are you going to vote," and he said, "Your tax is paid." I told him I intended to vote for Curtin, and he said, "Meet me at the polls."

Q. Where had you been when you returned home in August?—A. Over at Hollidaysburg, driving team for a man by the name of Wilson.

Q. Did or did not McAteer keep the tax receipt until you came to him and got the ticket as stated?—A. Yes, sir; he gave me the ticket and the receipt both at the same time.

Recross-examination:

Q. Did McAteer open and examine the ticket he gave you to see what it was?—A. It was tied up with a string when he gave it to me, and I went and stuck it in.

Q. Do you know whether or not it was a full ticket?—A. No, sir; I don't know anything about it.

And further saith not.

RICHARD ^{his} + LILEY.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

THOMAS GIBBONS, JR., sworn:

Question. Where do you live?—Answer. I live in Houtzdale, Clearfield County, Pennsylvania.

Q. Where did you vote at the November 5, 1878, election?—A. Houtzdale Borough, Clearfield County.

Q. For whom did you vote at said election for Congress?—A. I voted the Democratic ticket.

Q. Was it the whole Democratic ticket?—A. Yes, sir.

Q. Who gave you the ticket?—A. McAteer.

Q. You mean Matt. McAteer?—A. Yes, sir; the 'squire.

Q. Is it the one who had his office in the same building with Patterson, the lawyer?—A. Yes, sir.

Q. Where was he when he gave you the ticket?—A. About 20 yards from the polls.

Q. Did he give you anything else with the ticket, and what was it?—A. A tax receipt.

Q. What kind of a ticket did you ask him for?—A. A Democratic ticket.

Q. What is your age?—A. About twenty-six next birthday—the last of the year.

Q. Have you ever paid a State or county tax.—A. No, sir?

Cross-examined:

Q. Has any one ever paid a State or county tax for you?—A. Yes, sir.

Q. When?—A. I could not tell you when exactly.

Q. Was it before the 1st of October, 1878?—A. I could not tell you

that, but I know that it was a good while before the election. My father told me my tax receipt was paid. He paid his and he said mine was paid.

Q. Have you with you your receipt for the payment of that tax?—A. Yes, sir.

Q. Will you please produce it and read it?—A. I cannot read it.

Witness gives receipt to notary to copy, which reads as follows:

“HOUTZDALE, *Sep. 3rd*, 1878.

“Recd. of Thomas Gibbons 50 cents State and county tax in full for 1878.

“PAT DUGAN,
“*Collector.*”

Q. Did you know, and how long before the election, that this tax had been paid for you?—A. I could not tell you. It was a good while before the election that my father told me it was paid.

Q. Was it as much as six weeks?—A. I could not tell how long it was.

Q. Was it in September?—A. I could not tell. I don't know one month from the other.

Q. After your father paid your taxes for you, or told you it was paid, did you ever give them any more attention until the day of the election?—A. No, sir.

Q. Did you ever go for this receipt until the day of the election?—A. No, sir.

Q. Did you know before the day of the election that you could get your receipt by going for it, and about how long before the election did you know this?—A. Yes, sir; but I can't tell how long.

Q. Did you go for your receipt on the day of the election or did you intend to go for it?—A. I went for it.

Q. From whom did you get it?—A. From Mr. McAteer, the squire.

Q. You did not get your ticket from Mr. McAteer, did you?—A. Yes, sir.

Q. Did you not ask Mr. McAteer for your receipt and also for a ticket?—A. Yes, sir.

Q. Then you went to McAteer, did you, for the purpose of getting your receipt and to have him make up your ticket because of your inability to read, did you?

(Objected to as improper and designed to mislead the witness, in that it attempts to put the answer in the witness' mouth.)

A. I went to him to get my ticket, but did not tell him to make up my ticket.

Q. You went to him, did you, and told him for whom you wanted to vote and asked him for a ticket?—A. I did not tell him for whom I wanted to vote, but I told him I wanted a Democratic ticket.

Q. Were you on the registry of voters for Houtzdale Borough, if you know?—A. Yes, sir.

Re-examination:

Q. Did you vote the ticket McAteer gave you?—A. Yes, sir.

Q. When did you first see McAteer on the day of election?—A. The first time I saw him was when he gave me the receipt.

Q. Have you paid McAteer or any one else the taxes called for in that receipt?—A. No, sir.

Q. Did you ever authorize or direct or ask McAteer, or any one else, to pay your taxes?—A. No; I did not. I had no money to pay my

taxes. My father paid his; and McAteer paid mine; he knew I had no money to pay them.

Q. When did you first hear that McAteer was going to pay your taxes?—A. I could not tell you that; I know it was a good while before the election.

Q. Was it or was it not your father who first told you that McAteer was going to pay your taxes?—A. My father told me.

Q. Did your father tell you that McAteer had paid your taxes or that McAteer was going to pay your taxes?—A. My father told me he had paid them.

Q. Have you any knowledge as to when your taxes were paid?—A. No, sir.

Q. When did you hear that McAteer had a receipt for you?—A. A good while before the election.

Q. Who first told you that?—A. My father.

Q. Did he tell you that at the time that he told you about McAteer going to pay your taxes?—A. He told me that McAteer had paid my taxes.

Q. Did your father ever tell you that McAteer had a receipt for you?—A. Yes, sir.

Q. Did he tell you that at the time he told you that McAteer had paid or was going to pay your taxes?—A. Yes, sir; he told me he had paid them and had a receipt for them.

Q. Can you tell how long that was before the election?—A. No, sir; I cannot.

Q. Can you say if it was over three weeks before that election?—A. No, sir; I cannot.

Q. Do you think it was as much as two months before the election?—A. No, sir; it was not that much, but it was a good while before.

Q. What time did you get here to-day in answer to the subpoena?—A. I could not tell; I have no time-piece. By the time I came up here, according to what Dugan told me, it was between one and two.

Recross-examined:

Q. Did you reside with your father in Houtzdale?—A. No, sir; I have a wife and family.

Q. Do you and your father work together?—A. Yes, sir.
And further saith not.

his
THOMAS + GIBBONS, JR.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O. S. BUCK,
Amanuensis.

EDWARD BLAKE sworn.

Question. Where do you live, and what is your age?—Answer. In Houtzdale; aged thirty years.

A. Where did you vote at the November 5th election, 1878?—A. In Houtzdale Borough.

Q. For whom did you vote for Congress at said election?—A. For Andrew G. Curtin.

Q. Have you within two years preceding said election, and more than thirty days before said election, paid a State or county tax?—A. No.

Q. Did you pay any State or county tax within two years preceding said election; and, if so, when was it paid, and to whom?—A. Yes; I paid some time before the election; I could not say how many days.

Q. Was it as much as one month before the election?—A. No, sir.

Q. To whom did you pay said tax?—A. To Pat Dugan, collector.

Q. Was it as much as twenty days before the election when you paid those taxes?—A. I don't think it was hardly that much.

Q. Was or was not that the only tax which you had paid within two years preceding said election?—A. That was all.

Q. Did you get a receipt for said taxes?—A. Yes, sir.

Q. Who gave you the receipt?—A. Pat Dugan.

Q. Have you the receipt with you?—A. No, sir; I forgot it this morning.

Q. What date had that receipt?—A. I believe it was October 4.

Q. Was it or was it not dated back so as to entitle you to vote?—A. I believe it was.

Cross-examination :

Q. How long have you resided in Houtzdale?—A. About two years and five months. I will be there three years next July.

Q. Had anybody within two years paid a tax for you?—A. No, sir.

Q. Had you any arrangement with the collector about your tax more than thirty days before the election?—A. Well, he had asked me for the tax several times, and I told him I would give it to him after pay-day.

Q. Did he say to you anything about marking it paid or considering it paid, and you could hand him the money afterwards and he would give you a receipt?

(Objected to as leading and calculated to mislead the witness in his testimony.)

A. Well, I know it was understood I was to get a receipt the way I got it.

Q. Did Dugan say that anybody else had arranged your taxes?—A. No.

Q. Had you voted in Houtzdale before the last general election?—A. No, sir.

Q. Did you have any special desire to vote at that election; and, if so, why did you not pay your tax before thirty days from the election?—

A. I did not care whether I voted or not, and I did not care much about paying the taxes.

And further saith not.

EDWARD BLAKE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

MICHAEL GOULDIN sworn.

Question. Where do you reside, and what is your age?—Answer. Houtzdale; am over forty years of age.

Q. Did you vote at the general election of November 5, 1878, in Houtzdale Borough, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andrew G. Curtin, I believe.

Q. Had you paid within two years preceding said election, and one month or more before said election, a State or county tax?—A. I had paid before that election.

Q. When did you pay your State and county tax?—A. Before I voted.

Q. How long before you voted, as near as you can tell?—A. I could not tell you, sir.

Q. Was it as much as two weeks?—A. I could not exactly say, sir.

Q. Say as nearly as you can, according to the best of your recollection?—A. I could not say, unless I tell a lie.

Q. Do you think it was over two weeks?—A. I don't know, sir; I could not exactly say.

Q. Can't you answer more nearly than that?—A. I cannot.

Q. To whom did you pay those taxes?—A. The constable they call Mr. Dugan.

Q. When did you get your tax receipt?—A. At the time I paid it.

Q. Who was present when you paid Dugan?—A. No one; he came to where I was working.

Q. What were you working at?—A. On the repairs on the Pennsylvania Railroad Company's road.

Q. What repairs were you making?—A. Just fixing the road generally.

Q. Cannot you recall nearly the time those taxes were paid?—A. I cannot, sir.

Q. Cannot you say whether it was less than thirty days or more than thirty days?—A. No, sir.

Q. What is your opinion?—A. I do not know, sir.

Cross-examination:

Q. Were you required to show your receipt to the election-board?—A. Yes, sir.

Q. They examined it, did they?—A. Yes, sir; and permitted me to vote.

Re-examination:

Q. Was it or was it not about pay-day when you paid Dugan these taxes?—A. I don't know.

And further saith not.

his
MICHAEL+GOULDIN.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.

MICHAEL GOULDIN recalled.

Question. Was that the only tax you had paid within two years preceding said election?—Answer. Yes, I had my tax-papers till then, my tax-papers run out then.

Q. When was the last tax that you had paid before you paid that tax to Dugan?—A. That I cannot tell, sir.

Q. Was not the tax you paid Dugan the only tax you had paid for two years before that election?—A. Yes, sir.

Recross-examination:

Q. Did you pay any tax after the Presidential election of 1876, when Hayes and Tilden were candidates for the Presidency except what you paid to Dugan. That is in 1877 or 1876?—A. No, I don't think I paid any in 1877.

Q. Did not you pay State or county tax after the Presidential election of 1876 other than the one you paid Dugan?—A. No, sir.

And further saith not.

his
MICHAEL+GOULDIN.
mark.

Attest:

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

JOHN D. McCLOSKEY sworn.

Question. Where do you live, and what is your age?—Answer. I live in Houtzdale; I am 28 years old.

Q. Did you or not vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the November election of 1878?—A. I did.

Q. You mean the general election of November 5, 1878?—A. Yes, sir.

Q. State for whom you voted for Congress at said election?—A. For the Democrat, I don't remember his name.

Q. Was it for Andrew G. Curtin or Seth H. Yocum?—A. For Andrew G. Curtin.

Q. State whether you had paid any State or county tax within two years preceding said election and more than one month before said election.—A. No, sir.

Q. State whether you got a receipt for the payment of taxes, and when, and from whom?—A. I did get a receipt from Pat Dugan on the day of the election.

Q. Did you ever pay those taxes or authorize any one to pay the taxes called for in that receipt?—A. No, sir.

Q. Where is that receipt?—A. The receipt is at home in Houtzdale.

Q. What was the date of that receipt?—A. I do not remember what the date was.

Cross-examination:

Q. Were you required by the election-board at the general election of November 5, 1878, to produce your receipt before voting?—A. I was.

Q. Did they examine it?—A. They did not.

Q. Were you permitted to vote upon it?—A. I was.

Q. Was Pat Dugan present when you offered to vote?—A. He was.

Q. Did he say your taxes were not paid?—A. He did not.

Re-examined:

Q. Was he asked whether your taxes were paid or his attention called to the matter by the board?—A. No, sir.

Recross-examination:

Q. Did you read your ticket before voting?—A. I looked at it.

And further saith not.

JOHN McCLOSKEY

Attest:

[SEAL.]

WM. RADEBAUGH,
FRED. O'L. BUCK,
Amanuensis.

Adjourned until 8 o'clock to-morrow morning at 7 o'clock a. m.

Attest:

WM. RADBAUGH,
Notary.

FEBRUARY 25, 1879—8.15 a. m.

RICHARD LILLEY recalled.

Re-examined:

Question. What is your age?—Answer. Sixty-five next October.

(Objected to by counsel for contestant for the reason that the testimony was not reduced to writing by the notary himself or in his presence, he being absent when the witness was examined. Counsel for contestee has the question asked and answered by the witness in the presence of the notary which is done.)

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

PATRICK DUGAN sworn.

Question. Where do you live, Mr. Dugan?—Answer. At Houtzdale, Clearfield County, Pennsylvania.

Q. Were you the collector of taxes for Houtzdale in 1878?—A. Yes, sir.

Q. State whether James Bradley, who was sworn yesterday, paid you any taxes before the election of November 5, 1878, or at any other time.—

A. No, sir.

Q. How long have you known James Bradley?—A. About ten years.

Q. What was he doing when you first knew him?—A. He was cutting props for the Moshannon coal bank.

Q. Was he then a full grown man?—A. Yes, sir; he was done growing many a day then.

Q. What is his age as nearly as you can tell now?—A. Between forty-five and fifty.

Q. State if Richard Lilley, who was sworn yesterday, paid you a State or county tax, or any other tax, before the election, or at any other time.—

A. No, sir.

Q. State if Thomas Gibbons, who was sworn yesterday, paid you a State or county tax, or any other tax, before the election, or at any other time.—A. No, sir.

Q. State if John D. McCloskey, who was sworn yesterday, paid you a State or county tax, or any other tax, before the election, or at any other time.—A. No, sir.

Q. State when the taxes of James Bradley, Richard Lilley, Thomas Gibbons, and John D. McCloskey were paid?—A. The day before the election of November 5, 1878.

Q. Where were they paid? At whose office?—A. At Matt. McAteer's office.

Q. To whom were the receipts given?—A. To Lawyer Patterson; he got part, and Matt. McAteer got the other part; they were divided between them.

Q. Were these the only taxes that were ever paid to you for these four persons named, or any of them?—A. Yes, they were the only taxes.

Q. State when Michael Gouldin paid his taxes, who was sworn yesterday, and how you fix the time.—A. On the 14th or 15th of October, 1878, I forget which day.

Q. What was he working at when he paid his taxes to you? Was he or not working on the Pennsylvania Valley Railroad?—A. Yes, sir, he was.

Q. How near was it to the October pay-day?—A. About the same time they pay on the railroad.

Q. Do you remember that it was after the time for payment of tax had expired?—A. Yes.

Q. Was that or was it not the only State or county tax that Michael Gouldin had paid, and the only kind of tax that he ever paid you?—A. Yes, sir.

Q. Did you go to him for that tax?—A. I asked him about the time the tax was coming due; he said he had no money then, but he would give it me on pay-day.

Q. Did you go to him about the October pay-day, and was that about the time he paid you, as stated?—A. I was going up the railroad and he called me and said "Here is that tax for you."

Q. State at what time Edward Blake, who was sworn yesterday, paid you his tax.—A. About the 20th or 21st of October.

Q. What was he doing?—A. He was standing around the corner.

Q. Did you ask him for it, or did he offer to pay you?—A. Not at that time I did not ask him.

Q. Had you asked him for it before?—A. Yes, sir.

Q. What had he said?—A. He told me he had no money at that time.

Q. What, if anything, did he say about after pay-day?—A. He told me he would give it to me on pay-day.

Q. Was it after pay-day when he paid you?—A. Well, I can't say whether it was after, but I think it was the same day.

Q. Did his pay-day and Michael Gouldin's pay-day come on the same day?—A. No; there was generally between four and five days' difference in the pay-day of the mines and the railroad.

Q. Where did Edward Blake work, and which pay-day came last?—A. He worked at Eureka Colliery; the mines pay-day came last.

Q. State if you were present at a conversation between James Bradley and Matt. McAteer a few days after the time had expired for payment of taxes, in which Matt. McAteer proposed to pay Bradley's taxes; and when was that, and what was said?—A. At the corner of Matt. McAteer's office he asked James Bradley if he would vote the Democratic ticket he would pay his tax.

Q. What did James Bradley say?—A. Yes.

Q. How long was that after the time expired for payment of taxes?—A. I can't tell that.

Q. Was it many days or a few days?—A. About three or four days after the time expired.

Q. Had Ed. Blake or Michael Gouldin ever paid you any other tax except the taxes you speak of?—A. No, sir.

Cross-examination:

Q. Did you mark on your duplicate the different dates at which taxes were paid to you by persons against whom you had taxes?—A. No, sir.

Q. Did you make any memorandum elsewhere of the date?—A. I made it on the receipts.

Q. Do you mean that you marked the receipt of the date of the payment?—A. No, sir; I did not.

Q. What do you mean by saying you marked it upon the receipts?—A. I dated back the receipts.

Q. How did you come to date the receipts different from the day on which the taxes were paid?—A. To give the men a chance to vote.

Q. When did Thomas Gibbon's father pay his taxes?—Q. He paid them in due time to vote, but I could not tell the date.

Q. May it have been as early as the 3d of September, 1878?—A. It might be about that time.

Q. Did he come to you or did you go to him about his taxes?—A. I informed him one time what his taxes were against him and he came to my house and paid them.

Q. What was said about the taxes of his son, Thomas Gibbons, by you or Mr. Gibbons?—A. I said nothing about them except to tell him the amount of the taxes against his son.

Q. Was that all that you and Thomas Gibbons said about his son's taxes?—A. That was all.

Q. Who else was present when the old man paid his own taxes?—A. No person except my woman.

Q. How do you fix the time at which McAteer paid Thomas Gibbons' jr., taxes?—A. I did not say McAteer paid his taxes.

Q. When his taxes were paid, then?—A. The day before the election.

Q. How do you fix the time? is the question.—A. I know it because I came down town the day before the election and I was working all the time before; I was idle that day; the people were so anxious to pay their taxes the day before the election. McAteer was so busy running around, I mean, and Patterson also.

Q. Were these receipts which you signed the day before the election all dated by the same person? if you know.—A. Well, I don't know. I dated all of them myself except one or so which were changed. I don't know who changed them; one was all I saw.

Q. What date, if you remember, did you put on the receipts?—A. I dated them back time enough to vote, but could not tell exactly what time it was.

Q. Was not the date either the 3d or 4th of October, 1878?—A. It might be; I cannot tell.

Q. What receipt do you know was changed from the date you put in it?—A. I did not say it was changed in the date.

Q. What did you mean when you spoke of one of the receipts being changed?—A. The receipt was wrote for a man and the man could not be found, and the man's name was changed.

Q. You don't say, then, that any of these receipts were changed in date?—A. No, sir.

Q. Can't you tell from your recollection what date you put upon the receipts you signed?—A. I cannot do it.

Q. Were they dated back one, two, or three months?—A. Well, I'm sure they were not less than one, and more than that I cannot tell.

Q. Had any of these men who were examined here yesterday any arrangement with you or talk with you before the time for paying taxes had elapsed about their tax, and that you was to mark them paid and they would hand you the money in a short time or the next pay-day?—A. I did not trust any on that duplicate.

Q. What do you mean when you say you had seen Michael Gouldin about his tax and was to go to him for them, and did go, as you testify on the 14th or 15th of the month and get your pay?—A. I did not go to Michael Gouldin on the 14th or 15th for it. I was going to serve some writs up the road—this was in Houtzville—and he said, "Here is the tax for you." I was not after him.

Q. Do you say that Michael Gouldin or some other person other than McAteer or Patterson had not been to see you to arrange Gouldin's tax more than thirty days before the election?—A. Pat. Shields asked me if Gouldin was on the duplicate. I said yes; and he said he would pay those taxes some of those days. That was all I seen him until I saw him on the railroad.

Q. Do you swear that you did not agree to mark Gouldin's tax as

paid before the time had elapsed for payment?—A. I did not, sir, agree to anything of the kind.

Q. Did you date these receipts all of the same day?—A. Certainly not; I could not date them all on the same day.

Q. I mean, did you date them back all to the same day?—A. No, sir; I did not.

Q. Can't you tell now the date of any one of the six receipts of the persons who testified here yesterday?—A. I could not exactly tell one from the other. I know they were dated back.

Q. As near as you can recollect, what date or dates did you put in them?—A. I think some of them were September 5. I can hardly tell.

Q. Were not the most of them or all of them dated between the 1st and 5th of October, A. D. 1878?—A. I cannot answer that question for sure.

Q. Did you write the receipts, except the name that was put in them in blank, and have them ready for signing when called on?—A. There were some receipts wrote that I did not write, but I signed them.

Q. When did you write those which you yourself wrote?—A. I cannot answer when I wrote them.

Q. Did you or not have a number of blank receipts ready for this fearful emergency, so that all that was necessary was to pay the cash and sign the names?—A. No, sir; I had not.

Q. Have you a receipt from either of the parties called yesterday that will enable you to fix the time?—A. No, sir, I have not. O, yes, sir, I have the receipt of Richard Lilley.

Q. Say what date is on it.—A. It is dated September 3d, Houtzdale. (Witness reads the receipt):

“HOUTZDALE, *Sept.* 3d, 1878.

“Received of Richard Lilley fifty cents, State and county tax, in full for 1878.

“PAT. DUGAN, *Collector.*”

Q. Now, were these six receipts all dated the same day?—A. I can't tell, for I did not write these receipts; I only signed them.

Q. Who else besides McAteer and Patterson got tax-receipts from you for other persons than themselves within thirty days preceding the election?—A. There was J. B. Black, the butcher, got one for himself; it may be B. V. Black.

Q. Did not Black get more than one?—A. There was one more; the man had a receipt a few days short of the time and wanted me to date it back, and I did so. I can't tell who he was.

Q. Who else besides Black and the persons you have named here got receipts from you within thirty days of the election?—A. I can't tell you that. I can't remember of any getting from me.

Q. How was your memory refreshed as to these persons?—A. Well, I can't tell you how it was refreshed; they were the last men and the only men got receipts.

Q. Did you and Mr. Vandusen have any talk on this subject since the election? I refer now to these tax-receipts about which you have testified.—A. Not to my knowledge.

Q. Can't you say whether you and Van Dusen talked about this or not?—A. Not to my knowledge.

Q. Did you give to Van Dusen or any one else since the election the names of these parties about which you have testified?—A. I gave none to Van Dusen or no other person in Houtzdale.

Q. Were you or not by Mr. Vandusen paid for the information you gave concerning these taxes?—A. No, sir.

Q. Do you swear that there were no other persons got tax receipts from you within thirty days from the election to be voted on by themselves or any one else?—A. There was no other person but Jesse Williams.

Q. When Did Jesse Williams get his receipt?—A. I could not tell. I owed him the 50 cents that his taxes were a couple of years or more.

Q. What was said at the time you gave him the receipt about this tax?—A. I could not tell you.

Q. Was it agreed that day you gave him the receipt that you was to mark his tax paid and give him a receipt, and he was to satisfy the claim he had against you, or what agreement, if any, was there between you and Jesse Williams, and how long before the election was it made?—A. There was no agreement of that kind to my knowledge; it was in the store I told him I would pay the half dollar for him; he did not know he was registered until a few days before the election.

Q. Was the talk in the store a few days before the election?

(Objected to as unfair to the witness; the question should be when was the talk in the store.)

A. I could not tell you what time it was; that was the only talk I had.

Q. Do you know whether you gave him the receipt that day that you had the talk with him in the store?—A. Yes, sir.

Q. Can't you think of somebody else that got a receipt within thirty days before the election?—A. I cannot.

Re-examined:

Q. How long was it before the election when you promised and agreed with Jesse Williams that you would settle his 50-cent tax out of the indebtedness that you owed him; and was it not more than one month before the election?—A. I can't tell you that.

Q. Did Jesse Williams, before the time expired for paying taxes, that is, one month or more before the election, request you to settle his taxes on account of your indebtedness to him; and, if so, did you then agree to settle his taxes?—A. Yes; but I gave him no receipt then.

Q. Do you mean to state, as you have stated in your cross-examination, that the giving of the receipt and your agreement to settle the taxes for Jesse were both at the same time, or had you agreed to settle his taxes before you gave him the taxes receipt, and did you so agree before one month from the November 5, 1878, election?—A. No; the tax receipt was given to him in the store some time before the election. The agreement was made more than two or three months before the election.

Q. Where was this agreement made?—A. Some place up about the drug-store.

Q. Are you sure it was within two years preceding the election of 1878 that the agreement was made?—A. Yes; it was since the June registry was made. Jesse was not on the first duplicate I got, and they made an assessment of single men in June and sent it down here, and Jesse's name was on that; he was no stranger, but he was missed on the first registry.

Q. At the time of this talk, two or three months before the election, what was said by you and what was said by Jesse (I mean at the time the agreement was made) for you to settle his tax?—A. Jesse asked me if I was going to pay that little bill. I told him he had a dollar too much on him. He told me to show him the duplicate. I showed it to him, and he said, "you better pay that tax for me anyhow." I said, "I will do that, Jesse."

Q. When you said that, how long was it before the election of 1878?—
A. I don't know how long it was after I got the June duplicate. I can't say exactly; about August, or some time.

Q. How long do you think it was after you got the duplicate?—A. It was between the duplicate coming to me and the September court, for I was collecting the money to bring down here at court time.

Q. Did you understand that his taxes were settled at that date?—A. Why, certainly.

Q. Did you account for those taxes in your settlement at September court?—A. Yes; I paid all I collected.

Q. Did you pay in the 50 cents for Jesse Williams at that time?—A. Yes; I did.

Q. How did it come that Jesse did not call for his receipt sooner?—A. I don't know.

Q. Was it or not because he only then discovered that he was on the September registry?—A. I don't know.

Q. What did he say to you at the time you gave him the receipt, if he said anything, as to whether you had settled those taxes?—A. He asked me if I had paid those taxes. I said yes. He said, "You had better give me a receipt now." I gave him the receipt. One of the clerks, when I was writing the receipt on the desk, said he would stop Jesse's vote. I said, "Never mind; that tax is paid long ago."

Q. Will you produce again Richard Lilley's receipt?—A. I will.
(Witness produces receipt.)

Q. In whose handwriting is that receipt?—A. W. H. Patterson, the lawyer.

Q. Did you see him write this with other receipts?—A. Yes, sir.

Q. Did you write any of the receipts, or date or put the date on any of the receipts which were written in the office of McAteer and Patterson on the day before the November election of 1878?—A. I cannot answer that; I don't know. I believe I dated a few, but I can't tell whose they were; I did sign them.

Q. Who wrote and dated the principal portion of them?—A. W. H. Patterson.

Q. Who directed you to write and date those which you did write and date on that day?—A. Patterson & McAteer directed me.

Q. Had you received word from Patterson or McAteer to be at that office that day?—A. Yes; they, that is Patterson, told me to go down to the office, that they wanted to see me.

Q. Where were you when he told you that?—A. Going down street.

Q. Did you go there at his request?—A. Yes, sir.

Q. Have you in your possession the receipt of John Farrell, and will you produce it?—A. Yes.

(Witness produces receipt, which reads as follows:)

"HOUTZDALE, Sep. 3rd, 1878.

"Rec'd of John Farrol 50 cents, State and county tax, in full for 1878.

"PAT. DUGAN,
"Collector."

Q. Will you also produce the receipt of Martin Miller? (Objected to, because no such name appears upon the notices served upon the contestant for Houtzdale Borough or Woodward Township. The testimony is therefore improper.) And will you also produce the receipts of Michael Butler and Thomas Sincock?

(Contestant, by counsel, renews the objection as to the names of

Michael Butler and Thomas Sincock for the same reason assigned to that of Martin Miller.)

A. Yes, I will.

(Witness produces receipts which read as follows:)

“HOUTZDALE, *Sep. 3rd*, 1878.

“Rec’d of Martin Miller 50 cents, State & county tax for 1878.

“PAT. DUGAN,
“Collector.”

“HOUTZDALE, *Sep. 3rd*, 1878.

“Received of Michael Butler 50 cents, State and county tax, in full for year 1878.

“PAT. DUGAN,
“Collector.”

“HOUTZDALE, *Sepr. 3rd*, 1878.

“Received of Thomas Sincock 50 cents, in full of State and county tax for 1878.

“PAT. DUGAN,
“Collector.”

Q. Are or are not these five receipts all dated and written by the same person?—A. Yes.

Q. Who is the person who wrote them and dated them?—A. W. H. Patterson.

Q. Did he or not write and date them on the day before the election of November 5, 1878, in the office of McAteer and Patterson and in your presence after he had requested you to go to that office?—A. Yes, sir.

Q. Had any one of these five persons named in these receipts paid you any State or county tax within two years preceding that election?—A. No, sir.

Q. Were or were not the receipts of James Bradley, Thomas Gibbons, jr., and John D. McCloskey written and dated at the same place and at the same time, and in your presence, and by Mr. Patterson?—A. Yes, sir.

Q. Had these persons paid you any State or county tax within two years preceding that election?—A. No, sir.

Q. Were any of these eight persons, Richard Selley, John Farrell, Martin Miller, Michael Butler, Thomas Sincock, James Bradly, Thomas Gibbons, jr., or John D. McCloskey, present when these receipts were dated and written?—A. No, sir.

Q. Are you sure that Thomas Gibbons, jr., paid you no State or county tax except what was paid in that office on that day, the 4th of November, 1878?—A. I am sure he did not.

Q. Do you think and are you sure that no person ever paid any State or county tax to you for him except that?—A. I am sure they did not.

Q. Do you think that his father, Thomas Gibbons, sr., paid his own taxes to you as early as September 3, 1878?—A. About that time, to the best of my opinion.

Q. Have you any recollection of saying to Thomas Gibbons, sr., when he paid his tax, that McAteer or any one else was going to pay the taxes of Thomas Gibbons, jr., his son?—A. Don’t recollect anything about it.

Q. May you have said so and forgotten?—A. I did not know that his tax was paid until the day before the election.

Q. His taxes were not paid until that day, were they?—A. No, sir.

Q. When Michael Gouldin paid you his taxes on or about the 14th or 15th of October, 1878, did you or not yourself give him a tax receipt?—

A. Yes, sir.

Q. Did you date back that tax receipt, and, if so, at whose request?—

A. At Michael Gouldin's request.

Q. When Edwin Blake paid his taxes on or about the 20th of October, 1878, did you give him yourself a tax receipt?—A. Yes, sir.

Q. Did you date it back, and, if so, at whose request?—A. Yes; at Edward Blake's request.

Q. Can you say how far back you dated either Gouldin or Blake's receipt?—A. I don't recollect.

Q. Was the taxes which you settled with Jesse L. Williams, and for which you subsequently gave him a receipt, a State or county tax?—A. Yes, sir.

Q. Did Theodore Van Dusen, J. S. Berkshesser, the postmaster, or any other active Republican pay you any tax within thirty days of the election or ask you to antedate tax receipts for them or any one else?—

A. None but Black, as I mentioned before.

Q. Was there any transaction of that kind except what took place at McAteer and Patterson's office when you went there at Patterson's request, with the exceptions you have already stated?—A. No, sir.

Recross-examination :

Q. Had any one else but Patterson and McAteer written tax receipts within thirty days of the election?—A. No, sir.

Q. Did Van Dusen at any time within a month of the election say to you that certain persons wanted to see you about their taxes?—A. No, sir; he told me about Black, and that was all.

Q. When did he tell you about Black, and what did he say?—A. He told me at the election-polls that Black wanted to see me.

Q. Did he say anything more, and did you go to see Black?—A. He said nothing more, and I went to see Black.

Q. What did Black want with you?—A. To date back a man's receipt. I forget the man's name.

Q. Did he speak to you about his own receipt at that time?—A. He had his receipt at that time.

Q. Who had written this receipt Black wanted you to date back?—A. I wrote it myself.

Q. When?—A. About two or three weeks before that. The man thought he had another receipt at home. He is a property-holder.

Q. Was he an old man or a young one?—A. Middling. I know the man when I see him.

Q. Was his name Cameron?—A. No, sir; I think his name was Scott; that is the man.

Q. John Scott, miner?—A. John Scott, a single man. He is not a miner. He lives by himself.

Q. Did not Black get a receipt from you for a man by the name of Cameron at the time he got his own?—A. No, sir.

Q. Did not Black get other receipts for other persons besides Scott?—A. Not from me.

Q. How much money did Black pay you for taxes or any other purpose within one month of the election, as near as you can tell?—A. Don't know him to pay any more than the 50 cents for himself.

Q. Who, then, paid you for Scott's tax?—A. He paid me himself.

Q. When?—A. Some time inside of the thirty days. He could not vote on it, he said. He came to me again in Black's butcher-shop.

Q. When did Scott pay his tax?—A. He could not vote on it when he paid it first.

Q. Who requested him to date back his tax-receipts?—A. Black, the butcher.

Q. What was Black's politics?—A. He was a Republican.
And further saith not.

PAT. DUGAN.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

Adjourned at 12.47 to meet at 2 o'clock.

Met again at 2 o'clock p. m.

A. MENTER BLOOM, deputy prothonotary of Clearfield County, sworn (recalled).

It is agreed by counsel on both sides that this witness's testimony shall be taken with the same effect as though notice had been served on counsel for contestant.

Question. Are you the deputy prothonotary of Clearfield County?—Answer. I am.

Q. Have you charge of the continuance docket of 1854, containing the entries to September term, 1854, among other records in your office?—A. Yes, sir.

Q. Have you that book before you?—A. Yes, sir.

Q. Does it contain a list and a record of the persons who took the oath of allegiance and were admitted by the court of Clearfield County to become citizens at September term, 1854?—A. Yes, sir.

Q. Will you read the record without enumerating the names in the list?—A. "The following persons took the oath of allegiance and were admitted to become citizens of the United States, viz."

Q. Among others, is there not the name of Lawrence Billote, and does it give the country of which he was a native, and does it give the date of his naturalization?—A. There is the name of Lawrence Bellote, native of France, naturalized on the 18th of September, 1854.

Q. Are or are not these entries in the handwriting of Wm. Porter, who was then prothonotary of the county?—A. They are in the handwriting of Wm. Porter, and I am acquainted with his handwriting.

And further saith not.

A. M. BLOOM.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOSEPH JONES sworn.

Objected to the testimony of the witness being taken, for the reason that there are no specifications in contestee's answer relating to the borough of Clearfield.

Counsel for contestee states that this objection is made under a misapprehension, as there are specifications as to Clearfield Borough in the answer of contestee.

Question. Where do you reside and what is your age?—Answer. In Clearfield Borough. My age is 63.

Q. State if you voted at November election held on the 5th of said month in 1878, in the election district of Clearfield Borough, Clearfield County, Pennsylvania.—A. I did.

Q. For whom did you vote at said election for Congress?—A. A. G. Curtin.

Q. Had you yourself within two years preceding said election paid a State or county tax?—A. Not according to this receipt, I had not.

Q. State when you had paid the last State or county tax before the election of November 5, 1878.—A. March 30, 1876.

Q. State whether you received a tax-receipt on or about the day of election of November 5, 1878.—A. I did.

Q. And what day did you receive it and from whom?—A. On election day, from A. J. Jackson.

Q. Was A. J. Jackson a Democrat and an active supporter of A. G. Curtin?—A. I do not know.

Q. State whether that was the first knowledge you had of the payment of any tax for you since the tax you paid March 30, 1876.—A. That day, that is, election day, was the first knowledge I had.

Q. Who first told you on November 5, 1878, that the taxes called for by the receipt that was handed to you that day had been paid?—A. Mr. Israel Test.

Q. Was Mr. Israel Test chairman of the Democratic county committee?—A. I don't know except what I saw in the paper.

Q. Did you ever ask, authorize, or direct any one to pay these taxes for you?—A. I did not.

Q. Had you any knowledge of their payment before November 5, 1878?—A. I had not.

Q. Have you ever paid these taxes to any one?—A. I suppose if I had got my just dues from Test it would have paid five times that tax in the way of justice's fees.

Q. Do you mean by that that you were a justice of the peace?—A. I was.

Q. Do you claim that when you were a justice of the peace that there were moneys coming from him that he refused to pay you?—A. Yes, sir; I do.

Q. How long is it since you were a justice of the peace?—A. Thirteen or fourteen years ago.

Q. Did you ask him for those fees lately?—A. No, sir; not lately.

Q. How long is it since you asked him?—A. I have no recollection of that.

Q. Have you asked him for them in the last seven years?—A. I did not.

Cross-examined:

Q. Did not Israel Test inform you that he had paid your tax in time so as to enable you to vote?—A. He asked me in front of the court-house, "Why don't you get your receipt?"

Q. When was that?—A. On election day.

Q. Did he tell you when he paid the tax?—A. No, sir.

Q. Did he tell you to whom he had given your receipt?—A. I think not; there was nothing said but what I have just stated.

Q. Is that the receipt that you received from Mr. Jackson?—A. It is.

Q. Please to read the receipt.

(Witness reads:)

"TREASURER'S OFFICE,
"Clearfield, Pa., Oct. 5th, 1878.

"Received of Joseph H. Jones the sum of $\frac{30}{100}$ dollars, being county and State taxes for the year 1878 on his property situated and assessed in Clearfield Bor'o."

\$ $\frac{31}{100}$

"D. McGAUGHEY, *Treas.*,
"Per WRIGHT."

Q. Was not D. McGaughey county treasurer at that time?—A. He was.

Q. Was not Wm. V. Wright his clerk or in his employ at that time?—A. I cannot say.

Q. Was your receipt examined by the election board before they received your vote?—A. It was not.

Q. Was your vote challenged at all?—A. No, sir.

Q. Was not D. McGaughey, county treasurer, a Republican? (Objected to as irrelevant and not cross-examination.)

A. I cannot say of my certain knowledge.

Re-examined:

Q. Have you any knowledge as to when or by whom the taxes called for in that receipt were paid, or whether they were paid at all or not except as the receipt shows?—A. I cannot say.

Recross-examined:

Q. Is not the receipt a genuine receipt and not a forgery?—A. I don't know anything about that.

And further saith not.

J. H. JONES.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

N. L. ROBINS sworn.

It is agreed by the counsel on both sides that the testimony of this witness be taken with the same effect as if notice thereof had been regularly served on counsel for contestant.

Question. State where you reside, and what is your age.—Answer. Lawrence Township, Clearfield County, Pennsylvania; aged thirty-three years.

Q. State if you voted at the general election of November 5, 1878, at the election district of Lawrence Township, Clearfield County, Pennsylvania.—A. I did.

Q. State for whom you voted for Congress at said election.—A. A. G. Curtin.

Q. State if you yourself paid a State or county tax within two years preceding said election which was assessed at least two months and paid within one month from said election.—A. I paid my tax some time in May, May 30, to the county treasurer, and have his receipt for it.

Q. State if you received from any person within thirty days of the election any tax receipts to distribute or hand out to Democratic voters.—A. I did not.

Q. Did you receive any tax receipts to hand out to any persons within thirty days of the election, or on election day?—A. I did not.

Q. Did you during that time have in your possession any tax receipt or receipts other than the one you have here?—A. I did not.

Q. Do you recollect if on election day or some day near that time in the morning you saw Mordecai Shirk or any of his sons and stated to him or them or any one else that you had, or were going to get, or had been requested to take tax receipts and deliver to certain parties?—A. I saw Mordecai Shirk and part of his family that morning, but I do not recollect of making any such statement; I mean election morning.

Q. Can you say what members of his family you saw that morning?—A. I think I saw Alfred and Richard and Robert.

Q. Have you no recollection of any conversation on the subject referred to with them or any of them?—A. I believe I did have some such conversation.

Q. State what that conversation was as nearly as you can recollect it.—A. Some one of them asked me what I was doing up at Jones's. I told them I was trying to get old Jones to come down and vote. One of them said something about his taxes not being paid, and I told him I thought his taxes were paid and he could have it by coming down town.

Q. Are you quite sure that you did not say to them or any of them anything about giving out a tax receipt or tax receipts to any one?—A. I did not, as I had no tax receipts.

Q. Do you mean by Jones Joseph H. Jones, the last witness?—A. I do.

Cross-examination:

Q. Was your name on the registry of voters for Lawrence election district, as required by law?

(Objected to as not cross-examination, incompetent, and not the best evidence.)

A. The assessor told me I was assessed; I saw it afterward myself on the list.

Q. Had you not resided for two months immediately preceding the 5th of November, 1878, in Lawrence Township, and one year preceding said date in Pennsylvania?—A. I had.

Q. Are you a native-born citizen?—A. I am.

And further saith not.

N. L. ROBINS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K. O'L. BUCK,
Amanuensis.

F. B. WILLIAMS sworn.

(Objected to by counsel for contestant for the reason that the witness appears to be from Curwinsville Borough, while the specifications in contestee's answer make no mention of said district of Curwinsville.)

Question. State where you now reside, and what your age is?—Answer. I reside in Curwinsville, this county. My age is 26 past.

Q. State where you did reside on November 5, 1878, and how long you had resided there?—A. I resided at Du Bois, Brady Township, Clearfield County, and had resided there over two years preceding that date.

Q. State whether you had resided there two months immediately preceding November 5, 1878.—A. Yes, sir, I had; I was not away.

Q. State whether you voted in the election district of Brady Town-

ship, Clearfield County, Pennsylvania, at the general election of November 5, 1878.—A. Yes, sir; I voted in Brady Township at that time.

Q. State for whom you voted for Congress at said election.—A. Andrew G. Curtin.

Q. State if you had paid a State or county tax within two years preceding that election.—A. No, sir; I had not.

Cross-examined:

Q. To whom did you pay the last State and county tax?—A. I never paid any in my life.

Q. Why did you not pay a State and county tax?—A. Because I never was assessed, I suppose.

Q. Are you married or single?—A. I am a single man.

Q. Was your vote questioned or challenged?—A. I was questioned, but not challenged.

Q. By whom were you questioned?—A. By the election-board.

Q. What questions were asked you?—A. I don't remember.

Q. Did they ask you whether you had paid tax?—A. I think they did; I won't be sure of it.

Q. What did you answer?—A. I don't remember what my answer was. They made me promise to vote the Democratic ticket from that time forward, on my word and honor.

Q. Who required you to make that promise?—A. The board; I don't know the man's name.

Q. Who was present when this promise was exacted from you?—A. Al Johnson; he took me in where the board was.

Q. Who else besides you and Al Johnson and the election-board were in that room?—A. I cannot tell you who was in there besides the election-board, Al Johnson, and myself.

Q. Were you sworn?—A. No, sir.

Q. The only qualification they required of you was that you should pledge yourself as you have stated?—A. Yes, sir.

Q. Can you describe the appearance of the man who required this pledge from you?—A. I would know him if I would see him. He had some beard. I can't tell whether it was moustache, whiskers, or beard. He appeared to be the head man of the board. He was a tall, slim man, about 5 feet 8 inches.

Q. Were there other persons of the board present and heard this conversation?—A. The board was there. I don't know whether there were any more about.

Q. Was this conversation in a whisper or in ordinary talk?—A. In ordinary talk.

Q. What time of day was this?—A. It was in the afternoon. I can't say the exact time.

Q. Were you taken away from the other members of the board when the person exacted this promise from you?—A. No, sir.

Q. Was it done in the presence of the other members of the board?—A. Yes, sir; during their hours.

Q. Did you ever speak of this before to-day?—A. Yes.

Q. Whom to?—A. I don't remember who to.

Q. Did you say it to William D. Irvin or William C. Arnold?—A. I don't remember. I know I did not say it to W. D. Irvin; but I believe I did say something to William C. Arnold in regard to it.

Re-examined:

Q. Will you state whether you know of any other of the members of the board of Brady than the one you have referred to heard the conver-

sation between you and that one when he required you to make that pledge?—A. I spoke loud enough. I suppose they all heard me.

Q. Did you vote the Democratic ticket straight through at that election?—A. I suppose it was. Bennett was on it.

Q. You voted for Curtin for Congress?—A. Yes, sir.

Q. You cannot recall the man's name who required this pledge of you?—A. I think his name was Kirk. I won't say positively.

And further saith not.

FREEMAN B. WILLIAMS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

ALBERT MCGARY sworn:

Question. How are you generally called, McGary or Gary?—Answer. I am generally called Gary here, and so registered and assessed. I was not raised here.

Q. Is that the name by which you are known by in Pike Township, Albert Gary?—A. Yes, sir.

Q. State if you voted in the election-district of Pike Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. State for whom you voted for Congress at said election?—A. I voted for Andrew G. Curtin.

Cross-examined:

Q. How long have you lived in Pike Township?—A. Four years.

Q. Did you live there more than two months immediately preceding the 5th of November, 1878?—A. Yes, sir; I did.

Q. Were you born in the United States?—A. Yes, sir.

Q. When did you pay your last State and county tax?—A. The last tax I can be qualified that I paid was paid on October 5, 1876.

Q. Did you pay or did any one for you pay State and county tax since that time?—A. Yes, sir.

Q. If you have a receipt read it.

Witness produces receipt which reads as follows:

“PIKE TOWNSHIP, Sept. 2, 1877.

“Received of Albert Gearry his State and county tax for the year 1877.

“LEWIS I. BLOOM, *Collector.*”

The name, Albert Garrey, and the date, are in different handwriting and different ink.

Q. Did you vote on that receipt?—A. I was not asked for any receipt by the board.

Q. Was your vote questioned or challenged by anybody?—A. No, sir; was not.

Q. Had you within two years of the 5th of November, 1878, paid taxes in Pike Township?—A. The last tax was paid on October 5, 1876, as the receipt says.

Re-examined.

Q. When did you receive this receipt which has been offered in evidence on cross-examination?—A. I received it the day of the election, November 5, 1878.

Q. From whom did you receive that receipt?—A. I received it from Calvin Bloom.

Q. What are Calvin Bloom's politics?—A. He is a minor, not of age.

Q. What is his father's name?—A. Lewis I. Bloom.

Q. Was it Lewis I. Bloom, the collector, you mean?—A. Yes, sir.

Q. Do you know of your own knowledge, who paid the taxes called for by that receipt?—A. Well, of my own knowledge, I have none, who paid it.

Q. State if you ever asked, authorized, or directed, any one to pay the taxes called for in that receipt.—A. Yes, sir; I did.

Q. When?—A. I could not tell the day or date, but I first asked about the latter part of July. I asked Lewis I. Bloom to pay my taxes, and he said his son Cortes Bloom had the duplicate.

Q. Was that the first time you said anything to any one about the payment of those taxes?—A. Yes, sir.

Q. That was in the latter part of July, 1878, was it not?—A. Yes, sir.

Q. When did you next speak to him, or any one else, about the taxes?—A. As near as I can remember, it was about two weeks after when I saw Cortes. That was at Bloomington. He told me the duplicate was at home.

Q. Was or was not that the last time you spoke to him or any one else about those taxes until the November election of 1878?—A. I believe that was the last time.

Q. If these taxes called for in this receipt were paid at all, were they not paid after you saw Cortis Bloom in Bloomington, as stated?—A. Yes, sir.

Q. What did Calvin Bloom say to you when he handed you the receipt on the day of the election?

(Objected to as immaterial.)

A. I cannot remember. The way I came to get the receipt, I was working for Thaddeus Cross, and they asked me if I was going to the election, and I told them I was not, and they asked me why, and I told them there was no use in going to elections any more, as they did not amount to anything; and then there was another man came along the road and asked me if I was going to the election, and I told him I guessed not, as I could not vote, and he asked me if I had not a tax receipt within two years. I told him I could not remember, as my receipt was at home. He asked me if I could remember anyways near the time, and I told him as near as I could tell, was when Jake Ritter was collector, in 1876. Then he asked me about what time I paid it, whether it was near the end of the year when Ritter's time was out. I told him I thought it was. I don't remember this man's name, but there were several others came along and asked me the same question. I told them all about the same story. Among the rest that came along was Calvin Bloom, and he asked me if I was coming. I told him the same story. He said, "Are your taxes paid?" He says, "Pap paid them." I told him I had no receipt. He says, "I am going to town and will bring you up your receipt." That was on the forenoon of election day, and I told him to be back by noon, and he said he would, but he did not come. After I got my dinner I started to the election and met Calvin on the way. He said, "I tried to get back by noon but I could not, but here is your receipt; I told you I would bring it."

Q. Which direction were these people going who inquired so anxiously about your going to the election to vote?—A. Some going to the election and some from. I did not ask them.

Q. Which way was Calvin going when he came to you first?—A. If I remember right he was going toward Curwinsville.

Q. Were you working along the road?—A. Yes, sir.

Q. Close to the road, was it?—A. About ten feet off.

Q. When Calvin said he would go and get the receipt did he not say that his father, Lewis I. Bloom, was in Curwinsville, and he would go to him and get it?—A. I don't know whether he named his father or not.

Q. He was going towards Curwinsville when he told you he would get you your receipt?—A. Yes, sir.

Q. He was coming from Curwinsville when he brought the receipt, was he not?—A. Yes, sir; he was.

Q. How far do you live or how far were you working from Curwinsville on that day?—A. I was working about two or three miles.

Q. Does Lewis I. Bloom live on the same road you were working on, or near the same road?—A. Yes, sir; he lives near the road.

Q. Does he live farther from Curwinsville or nearer than where you were working?—A. Further.

Q. Did you notice when you got this receipt from Calvin Bloom that a portion of the writing was fresher looking and in different ink from the balance or not?—A. I don't remember as I did; as I can't read writing I did not look at the receipt.

Q. Look at the receipt now and state whether you notice that difference in the name and in the date as compared with the balance of the writing?—A. Yes, sir; I see a difference in the color of the ink.

Q. Does not the date in the first line and the name in the second look much fresher and as if it had been written since than the balance of the writing?—A. The difference of the color of the ink makes it look fresher.

Q. Do you know whether the tax called for in this receipt was ever paid, of your own knowledge, I mean?—A. No, sir; I don't.

Q. Have you any idea this tax was paid as long ago as September 2, 1877, the date of the receipt?—A. I could not say; I had offered to pay it later than that time.

Q. You had offered Lewis Bloom to pay it nearly a year after that, had you not?—A. Yes, sir.

Q. Did he claim then that it was paid?—A. He said when I asked to pay it he did not know how much it was; that Cortes had the duplicate.

Q. About two weeks later you offered to pay it to Cortes Bloom, did you not?—A. Yes, sir.

Q. Did Cortes Bloom claim then that it was paid?—A. He just said the duplicate was at home in his other coat pocket.

Q. Did you ask either Lewis I. Bloom or Cortes Bloom to pay these taxes for you?—A. No, sir; I did not.

Q. Then when you said a while ago you asked Lewis I. Bloom to pay your taxes and a short time afterwards had asked Cortes to pay them, did you not mean that you went to them to pay the taxes yourself?—A. Yes, sir; that was what I meant to say.

Q. Did you ever ask, authorize, or direct any one to pay the taxes called for in that receipt for you?—A. No, sir.

Q. I asked you before this same question and your answer was, "Yes, sir; I did." Did you mean to answer that question in that way?—A. No, sir; did not understand the question.

Q. Have you ever paid any State or county tax since October 5, 1876?—A. No, sir; I have not.

Q. Have you ever authorized any one to pay any State or county tax

for you since October 5, 1876?—A. I could not say whether I did or not within two years.

Q. You have no recollection of doing so, have you?—A. No, sir; to the best of my knowledge.

Q. Have you any objection to giving this receipt to the notary to attach to the deposition?—A. I have not if I get a copy of it.

(Paper marked Exhibit H identified by witness and offered in evidence.)

Cross-examined:

Q. Did Calvin Bloom, before giving you that receipt, and before he had gone to Curwinsville, inform you that your tax was paid?—A. Yes, sir.

Q. Do you know anything about it, except that your tax, as he said, was paid?—A. No, sir.

Q. If Lewis I. Bloom paid your tax himself because you had been there in time to pay them, and they were not paid by you because the duplicate was away, was there anything wrong about it?—A. No, sir; not that I know of.

Q. Had anybody else besides Calvin Bloom told you your taxes were paid?—A. Yes, sir.

Q. Who?—A. Lewis I. Bloom.

Q. Do you mean Lewis I. Bloom, the collector?—A. Yes, sir.

Q. If any person else saw proper to pay your taxes so that you could vote, do you think it was anybody else's business?—A. No, sir; I don't; it helped me along.

Q. Don't you know that the signature to the receipt you have is Bloom's own?—A. No, sir; I do not.

Re-examined:

Q. When did Lewis I. Bloom tell you that your tax was paid?—A. It was the day of the show at Clearfield.

Q. How long was that before the election?—A. It was a month before, anyway, if not more.

Q. If the show was on the 10th of October, 1878, then it was less than a month before the election, was it not?—A. Yes, sir.

Q. Do you mean the animal show and circus that was exhibited below the town here?—A. Yes, sir.

Q. Did Lewis I. Bloom say when the taxes were paid?—A. No, sir; all he said, "Your taxes are paid; you need not be anyways alarmed about the election.

And further saith not.

ALBERT Mc ^{his} + GAREY.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 7.5 p. m., to February 26, at 8 o'clock a. m.

February 26, 1879, at 8 o'clock a. m., parties met, and testimony began at 8.30 a. m.

JOHN L. WISE sworn.

Question. What is your age and where do you reside?—Answer. Pike

Township, Clearfield County, Pennsylvania; my age is 27, 3d day of January last.

Q. State if you voted in the election district of Pike Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878.—A. Yes, sir.

Q. State for whom you voted for Congress at said election?—A. Andrew G. Curtin.

Q. State if you yourself had paid a State or county tax within two years immediately preceding said election.—A. Yes, sir; I consider it as paid.

Q. State how it was paid, if paid at all.—A. About two months or more before the election, Lewis I. Bloom asked me for my tax; I told him I had not the money just then, I would see my father; my father told me that Lewis and him had had some dealing and Lewis owed him; that I should tell Lewis to pay it and charge him with it. I told Lewis Bloom and he said all right.

Q. Can you say it was as much as a month before the election when you so told Lewis I. Bloom?—A. Yes, sir; it was as much as two months.

Cross-examined:

Q. Did you live one year in the State of Pennsylvania and more than two months immediately before the election of the 5th of November, 1878, in Pike Township?—A. Yes, sir.

Q. Are you native born?—A. Yes, sir.

Q. Do you know whether your name was on the registry of Pike Township?—A. I cannot tell; I suppose it was.

Q. Had you paid any other State or county tax within two years, except this one?—A. Yes, sir; I paid some to J. F. Ritter; I don't know what time.

And further saith not.

JOHN S. WISE.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O. S. BUCK,
Amanuensis.

ALBERT MCGARY recalled.

Question. What is your age, Mr. McGary?—Answer. I will be 31 on the 31st of May next.

ALBERT ^{his} + MCGARY.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O. L. BUCK,
Amanuensis.

ALFRED SWATSWORTH sworn.

Question. Where do you live in what township, and what is your age?—Answer. Age, twenty-five years the 30th of October last; and reside in Pike Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Pike Township, Clearfield County, Pennsylvania, at the general election of November, 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you yourself paid a State or county tax within two years immediately preceding said election which had been assessed at least two months, and paid at least one month before said election?—A. Yes, sir.

Cross-examined:

Q. Are you native born?—A. Yes, sir.

Q. Did you live one year in this State and more than two months immediately before the election of the 5th of November, 1878, in Pike Township, Clearfield County?—A. Yes, sir.

Q. Was your vote challenged?—A. No, sir.

And further saith not.

ALFRED SWATSWORTH.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

SHOWRES BLOOM sworn.

Question. State where you reside and what is your age.—Answer. I reside in Pike Township, Clearfield County, Pennsylvania, and am 23 years of age past.

Q. State if you voted in the election district of Pike Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. State for whom you voted at said election for Congress.—A. Andrew G. Curtin.

Q. State if you yourself within two years immediately preceding that election paid a State or county tax which was paid at least one month and assessed at least two months before said election?—A. Yes, sir.

Cross-examined:

Q. Was you born in Pike Township, Clearfield County, Pennsylvania, and have you lived there all your lifetime?—A. Yes, sir.

And further saith not.

SHOWERS BLOOM.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JOHN ANDERSON sworn.

Question. Where do you live and how old are you?—Answer. I was born in 1820, and live in Pike Township.

Q. State if you voted in the election district of Pike Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878.—A. Yes, sir.

Q. State for whom you voted for Congress at said election.—A. Andrew G. Curtin.

Q. State if you had paid a State or county tax within two years preceding that election.—A. No, sir; I did not.

Q. How long was it before that election that you paid a State or county tax?—A. Well, I can't recollect. I could have brought the receipt along if I had known it was necessary, but I have not paid any within two years.

Q. Have you paid any since the election in which Tilden and Hayes were candidates?—A. Yes, my taxes are paid up within two years. I think they are.

Q. Do you mean that you had paid any State or county tax within two years of the election of November, 5, 1878?—A. I stated to you before that I had not paid any taxes within two years.

Q. Was it or not more than two years before the election of November 5, 1878, that you had paid any State or county tax?—A. I can't tell as close as that.

Q. State who you paid the last State or county tax to?—A. I don't know; I won't say till I get my receipts.

Q. Did you vote at the Presidential election of 1876?—A. Yes, sir.

Q. Who did you vote for at that election, Tilden or Hayes?—A. I voted for Hayes.

Q. Had you paid your tax in time to vote at that election?—A. Yes; I had paid all tax to within the last two years.

Q. Did you pay any State or county tax since that election?—A. I think I did; I know I have; my receipt will show.

Q. Can you recollect whether you have or not without seeing your receipts?—A. I can't testify certainly without seeing my receipts.

Q. State what time of day you first offered to vote at Curwinsville, in Pike Township.—A. I can't testify to that; I don't know.

Q. Was not your vote challenged when you first offered to vote on November 5, 1878, by W. A. Arnold?—A. Yes.

Q. Was your vote received when he challenged you?—A. Yes, sir; after he challenged me my vote was received afterwards.

Q. How long after he challenged you was it that your vote was received?—A. O, I can't recollect.

Q. Did you not go away from the polls after he challenged you, and come back and vote afterward?—A. I was not at the window when he challenged me; he challenged me on the sidewalk. I got mad and went down street, and then a short time afterward I came back and voted.

Q. Did you offer your ticket the first time?—A. I did not go to the window; I did not offer my ticket at all.

Q. Did you not remember that it was in the forenoon when you went up to vote first, and that it was in the afternoon or evening when you came back and voted?—A. It was in the forenoon when I first went up and not far from noon the first time, and I think it was in the afternoon I voted as near as I can recollect.

Q. Was W. C. Arnold at the window when you voted?—A. He was not there; they had put him out of that.

Q. Did you present your ticket after he had left?—A. Yes, sir; he was not allowed to come back or he would get his a—e kicked.

Q. State who came back with you when you came back and voted.—A. I came back alone.

Q. Was not Arnold Bloom with you when you put in your ticket?—A. No, sir; he was not.

Cross-examined:

Q. How long had you lived in Pike Township, Clearfield County?—A. Twenty-one years past.

Q. Did you live there two months immediately preceding the November election of 1878?—A. Yes, sir.

Q. Are you a native born?—A. Yes, sir; I am.

Q. Have you always paid your State and county and other taxes?—A. Yes, sir; always except the last two years.

Q. According to the best of your recollection, without having seen your receipts, have you not paid State and county taxes since the last Presidential election?—A. I told you they were all paid up to the last two years.

Q. Can you not say whether it was before you voted for Hayes, or since, you paid the last tax?—A. I voted for Hayes, and paid tax after that.

Re-examined:

Q. Do you mean that you paid State and county tax after you voted for Hayes?—A. Yes, sir.

Q. Did or did not Lewis I. Bloom, or some one else, hand you a tax receipt on the November election day of 1878 or near that time?—A. No, I think not; there was nothing of that kind handed to me; they are not that liberal.

Q. If you did pay a State or county tax since you voted for Hayes for President have you the receipt for it at home?—A. I am not certain whether I have or not.

Q. Did you pay all your State and county taxes up to and including 1876 before the Presidential election of 1876?—A. I had paid my taxes up to and back of two years.

Q. Do you mean that you paid your taxes, State and county, up to within two years preceding the last general election?—A. Yes, up to within two years of the last election or about that time.

Q. Did you pay your State and county tax for the year 1876 that is assessed for 1876?—A. Why, of course I did.

Q. Did you pay those taxes during the year 1876?—A. Yes.

Q. When you speak of paying up to within two years do you mean two years from this date or two years from the last general election?—A. Two years from the last general election is what I mean.

And further saith not.

JOHN H. ANDERSON.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

DANIEL FAUST affirmed.

Question. Where do you reside?—Answer. Curwinsville Borough, Clearfield County, Pennsylvania.

Q. Do you know William Piles?—A. Yes, sir.

Q. Where did he reside on the day of the general election of November 5, 1878 and for some time prior thereto?—A. With W. C. Arnold, in Curwinsville Borough.

Q. For what length of time had he resided there before said election?—A. I could not say what length of time; I know he was there some time.

Q. Are his parents living?—A. His father is dead, his mother is living.

Q. Is she married again and where does she reside?—A. She is married again and resides in Pike Township.

Q. Has or has not William Piles for some time been supporting himself?—A. I do not know of his supporting himself; he has been making his home wherever he could get employment and a home.

Q. Did he make his home in Curwinsville Borough while living with W. C. Arnold?—A. I think so, for the time being.

Q. Do you know where he voted at the last general election?—A. All I know about it I was told he voted in the borough.

Q. Do you know anything about it except what you were told?—A. No, I do not.

Q. Did you hear, or were you present at, a conversation with Lewis I. Bloom, collector of State and county taxes for Pike Township, in regard to taxes paid by W. C. Arnold, and, if so, relate the same as near as you can?—A. Yes; I did hear a conversation, the substance of which was that William C. Arnold had assumed taxes and that he considered them paid as to the parties they were charged against. I did not hear who they were or what amount there was; nothing was said about the parties. It appeared from the conversation that W. C. Arnold wanted Bloom to go somewhere at some time that he wanted to pay those taxes, and he would settle them. Bloom had not time to go then, and accepted Arnold's assumption or liability for them.

Q. When was this conversation?—A. I don't remember the time; it was after the election, in December some time.

Q. Did Bloom say that the arrangement with Arnold was that he had accepted Arnold's obligation for the amount of those taxes, and that they were paid in that way?—A. From the conversation I understood that they were settled, and that Bloom held Arnold personally for them.

Q. Did not Bloom say, in so many words, that the taxes were paid in that way?—A. Yes, sir.

Q. Who was that conversation between?—A. Between W. C. Arnold and Lewis I. Bloom, in my presence.

Q. Did Bloom say when the arrangement had been made by Arnold in regard to the payment of those taxes as stated?—A. The first of October, 1878, or a little before that, he said.

Cross-examined:

Q. No names were mentioned by Arnold in this conversation?—A. No, sir.

Q. No amount of taxes specified?—A. No, sir.

Q. Who began the conversation?—A. I don't know; I think W. C. Arnold.

Q. Had he said anything to you, just before Bloom came up, that he was going to talk to Bloom on that subject?—A. No, sir.

Q. Where did the conversation take place?—A. In the wareroom of my store.

Q. Did Arnold call Bloom off the street, or call him out of your store into the wareroom?—A. He did not, I believe; it was the time the mail was being changed and the store was very full of people.

Q. How did you come to be present?—A. Well, I just happened to go there; I think, probably, I went in to see who had gone into that room.

Q. Were you requested by either of them to remain or did you remain?—A. I did remain; I don't remember of being requested to remain.

Q. Were you particularly interested or concerned about what they were talking?—A. No, sir; I was not. At that time there was a little talk about the receipt business.

Q. Do you pretend to remember accurately what either party said?—A. I don't pretend to remember *verbatim et literatim*, but I remember clearly the substance.

Q. Do you know how long they had been there, or what they had said before you went in?—A. I don't know what they said before I went in; I went in shortly after they did.

Q. Did not William Piles stay at his mother's when he was not working or employed by other persons?—A. I do not know.

Q. Don't you know that his mother did his washing?—A. I don't know.

Q. Did not Arnold, chairman, tell you he had paid taxes to Bloom on the day before the election for such persons as he thought would vote for Yocum?—A. I don't think he did; if he did, I have forgotten it.

Q. Did he not tell you, just a few days before the election, that he was going to Brady and Dubois to pay some taxes and leave some money to be used in the interest of Yocum?—A. He did not, that I remember; he may have told me he was going out there, but did not tell me his business.

Q. Did he not consult you about the payment of taxes after the time had expired for paying them?—A. I believe not.

Q. Was there any arrangement between you by which you should accept orders given by him to persons who would vote as he directed them?—A. No, sir.

Re-examined:

Q. Did not Bloom say that the arrangement with Arnold was an honest transaction?—A. Yes, sir; he did.

And further saith not.

DANIEL FAUST.

Attest.

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O. L. BUCK,
Amanuensis.

Adjourned at 11.30 a. m. to meet at 1 o'clock p. m. same day.

Commenced at 1 o'clock p. m., February 26, 1879.

PORTER PILES sworn.

Question. Where do you reside?—Answer. At Chestnut Ridge, Pike Township, Clearfield County, Pennsylvania.

Q. What relation are you to William Piles?—A. I am his brother.

Q. Where did William Piles reside on the day of election, November, 1878, and for some time prior thereto?—A. At William C. Arnold's.

Q. Where?—A. At Curwinsville Borough, Clearfield County, Pennsylvania.

Q. Did he or not make his home there at that time?—A. Yes, sir; he did.

Q. Do you know where William Piles voted at that election?

(Objected to for the reason that the records are the best evidence of where William Piles voted.)

A. He voted in Curwinsville Borough; I mean that is where he ought to have voted.

Q. Where did he vote?—A. He voted in the county.

Q. Did he or did he not vote in Pike Township, Clearfield County, Pennsylvania?—A. Yes, sir; he did.

Q. Did he tell you for whom he voted at said election for Congress?—A. Yes, sir; he did; I understood he voted for Curtin; he told me he voted for Curtin.

Q. Where is William Piles now?—A. He is in the penitentiary.

Q. About how long ago was he sent there?—A. About four weeks ago as near as I can tell.

Cross-examined:

Q. Do you reside with your father in Pike Township?—A. My father is dead.

Q. With whom do you reside?—A. John Starr.

Q. With whom did your brother reside when living in Pike Township?—A. He had no regular place; he did stay at Sam Moore's, off and on, when he had no work.

Q. Did he have his clothes and things at Samuel Moore's?—A. Yes, sir.

Q. Did he go there frequently?—A. No; not very often.

Q. Did he go there every week or so?—A. No, sir.

Q. How far do you live from Samuel Moore's?—A. About four miles.

Q. Might he not have been there often without you seeing him?—A. No, sir.

Q. Can you see Samuel Moore's from where you live?—A. No, sir; but I worked handy there when he was there.

Q. Did you ever hear him say that he had left Samuel Moore's and never intended to return again?—A. No, sir; I did not.

Q. Did you see him vote on November 5, 1878?—A. No, sir; I did not.

Q. Do you know that he did vote?—A. He told me so.

Q. When did he tell you he had voted?—A. The evening of the election.

Q. Are you certain he told you he voted for Curtin?—A. Yes, sir; I am certain.

Q. Do you know of him getting a suit of clothes just before or right after the election?

(Objected to as not cross-examination.)

A. No, sir.

Q. Did he ever say to you he was to get a suit of clothes?—A. No, sir.

Q. Did he say to you that W. C. Arnold had offered to get him a suit of clothes if he would vote for Yocum?—A. No, sir.

Q. How did he come to tell you he voted for Curtin?—A. We got to talking of the election, who we voted for; I asked him who he voted for and he said Curtin.

Q. Who did you tell that he had said to you he had voted for Curtin?—A. William C. Arnold, and everybody asked me.

Q. When did you tell W. C. Arnold first?—A. About a week and a half ago, I guess.

Q. Did he ask you to tell him or did you tell him without him asking you?—A. He asked me if I knew who Bill had voted for; I told him he had told me he voted for Curtin.

Q. Was he working for Arnold by the day or by the month?—A. He told me he was working by the month.

Q. What did Mr. Arnold tell you when you told him William said he had voted for Curtin?—A. He did not tell me anything.

Re-examined:

Q. With whom do you live in Pike Township, and how are they related to you?—A. I live with John Starr and my mother. John Starr is my stepfather.

Q. How long has your father been dead?—A. Eight years.

Q. Did William Piles ever make his home with your stepfather?—A. No, sir.

Q. Has or has he not since the death of your father been making his own living, and making his home wherever he could get work?—A. Yes, sir.

Q. How far does Samuel Moore live from Curwinsville?—A. It is not a quarter of a mile.

Recross-examined :

Q. When William Piles had no work he made his home with Samuel Moore, did he?—A. No, sir; not always; he mostly after he had done working went around among his uncles.

And further saith not.

his
PORTER + PILES.
mark.

Attest :
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE D. MURPHY sworn.

Question. Where do you reside?—Answer. In Lumber City Borough, now.

Q. Where did you reside on the day of the general election of November 5, 1878?—A. In Pike Township.

(Counsel for contestant objects to the testimony of this witness for the reason that the contestant or his counsel have not received such notice as is required by the act of Congress regulating contested elections, in that they have notice that George D. Murphy, a resident of Pike Township, Clearfield County, would be called on this the 26th day of February, whilst George D. Murphy, the witness, testifies that he resides in Lumber City Borough, of the taking of whose testimony contestant has no notice whatever.)

Q. When did you move from Pike Township to Lumber City Borough?—A. On the 10th of this month.

Q. Did you present your ticket and offer to vote at said election in Pike Township?—A. Yes, sir.

Q. Did you vote; and, if not, why not?—A. No, sir; I did not; they would not let me. I handed my vote to the window and they refused to take it. They asked me if I had paid taxes inside of two years, and I told them I had; they asked me if I had a receipt; I told them I had not, and they refused to take my vote then.

Q. Were these questions asked you by members of the election board?—A. No, sir.

Q. By whom?—A. By Joe Dale, who was one of the clerks of the board.

Q. Had you paid a State or county tax within two years preceding said election that had been assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. Did you offer to swear to such payment of tax, and did you request the election board to qualify you in regard to it?—A. Yes, sir.

Q. Did they or not refuse to do so?—A. They did refuse.

Q. For whom did you intend to vote for Congress at said election?—A. Seth Yocum and the Republican ticket.

Q. Was the name of Seth H. Yocum on the ticket which you presented and claimed the right to vote for Congress?—A. Yes, sir.

Q. How old are you?—A. I will be thirty-three years old by the 21st of July next.

Q. Were you born in this country?—A. Yes, sir.

Q. Did you reside in Pike Township with your wife and family for more than one whole year immediately preceding the general election of November 5, 1878?—A. Well, I don't know whether it was a year or not.

Q. Did you reside in the State during that time?—A. Yes, sir.

Q. Did you reside in Pike Township with your wife and family for more than two months immediately preceding said election?—A. Yes, sir.

Cross-examined :

Q. Where was your father born?—A. He was born in the United States.

Q. When you presented your vote and were asked if you had paid any taxes by the election board, what did you say?—A. I told them I had.

Q. Did they ask you whether you had a tax-receipt?—A. Yes, sir.

Q. What did you tell them?—A. I told them "yes, sir," of course.

Q. Did you not tell the election board that you had a tax-receipt for the payment of your taxes?—A. No, sir.

Q. Did you not tell the election officers that you had a tax-receipt, and did they not tell you to go and get it?—A. No, sir.

Q. Did you not say to the election officers that you had a tax-receipt, and did they not send you for it, and did you not return without it and offer to vote?—A. No, sir.

Q. Do you swear to this now?—A. Yes, sir; I do.

Q. When did you pay the taxes you say you had paid?—A. I paid them in the fall of 1877.

Q. To whom?—A. To John McClellan.

Q. Did you pay them before or after the general election of 1877, November 7?—A. I paid them about a month before.

Q. Do you swear that the taxes you paid John McClellan were paid more than one month before November 7, 1877, and that they were State and county taxes?—A. Yes, sir.

Q. Did you, on November 5, 1878, offer to vote in Pike Township, and when your vote was refused did you tell the election officers that you had lost your receipt, and wanted to make an affidavit that you had paid your taxes—that is, State and county taxes—within two years preceding said election and at least one month before the same?—A. I did not tell them I had lost my receipt, but I offered to be qualified that I had paid my tax.

Q. Did you offer to make an affidavit in which you would swear when and where the tax claimed to have been paid by you was assessed, and when and where and to whom it was paid, and also that the receipt had been lost or destroyed; and did you have any qualified elector present to swear that you had resided in Pike Township for a period of at least two months immediately preceding such election?—A. I offered to make an affidavit that I had paid a State and county tax within two years preceding said election, and told them I would swear when, where, and to whom I paid it, and where and when it was assessed, but I did not offer to swear I had lost my receipt, and I did not offer to have another man, a qualified voter, swear that I had resided in Pike Township for more than two months immediately preceding said election.

Q. Did you ask the election officers to fill out such affidavit and let you swear to it?—A. I did not ask them to fill out one, but I told them I would swear as I have stated in the preceding question.

Q. How far did you live from the polls?—A. About a half a mile.

Q. Are you married?—A. Yes, sir.

Q. Did you owe John McClellan other taxes?—A. No, sir.

Q. Are you certain about that?—A. No, sir. But I suppose if I did he would have been after them.

Q. Might he not have had school tax or other borough taxes against you?—A. If he had he never asked me for them.

Q. I asked you might he not have had school-tax or other borough taxes against you?—A. I don't know.

Q. Did you read your ticket?—A. Yes, sir.

Re-examined:

Q. Was your vote questioned on any other ground than payment of taxes?—A. No, sir.

Q. Did you offer to make such affidavit as the law required in such cases?—A. Yes, sir.

Q. Were you requested to have any qualified elector to vouch for you?—A. No, sir.

Q. Who were the judge and inspectors of election in Pike Township?
A. I believe Farewell was judge, and John Holden and a man called Hartshorn the other. I am not positive that Holden's first name was John.

Q. What was their politics?—A. Farewell was a Democrat and Holden a Democrat, and Hartshorn was a Republican, I suppose. He is considered one.

Q. Was John McClellan collector of State and county taxes for 1877?
—A. Yes, sir.

Q. Did you or not reside in Clearfield Borough before removing to Pike Township?—A. Yes, sir.

Q. Where was Collector McClellan when you paid him your State and county taxes in 1877, and did he give you a receipt?—A. He was about half way between where a man named Brown lives and Goodfellow's Bridge, and did not give me a receipt.

Q. Was he or not driving on the public road?—A. Yes, sir.

Q. Why did he not give you a receipt?—A. He had no pen and ink.

Q. Did you tell the election board that you did not have a receipt?
—A. Yes, sir.

Q. If you stated before that you did not tell the election board you did not have a tax receipt, did you or did you not mean that you did not offer to swear to that fact?—A. That is what I mean.

Q. Where are you working?—A. With Mr. McNaul, at Curwinsville.

Q. Is or is not Curwinsville your post-office address?—A. All the letters I have received since I moved have been at Curwinsville. I suppose my post-office address would properly be at either place.

Q. Did you not continue to work at McNaul's, after you moved, the same as you did before?—A. Yes, sir.

Cross-examined:

Q. Was not John McClellan the collector of taxes other than State and county taxes?—A. I suppose he was.

Q. You suppose, then, you do, do you, that when you paid your taxes to McClellan in 1877 that he was collector of other taxes besides the State and county taxes?—A. I suppose he was.

And further saith not.

Attest:

[SEAL.]

GEORGE D. MURPHY.

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

SEYMOUR ROSS affirmed.

Question. Where do you reside?—Answer. In Pike Township, about three or four miles from Curwinsville.

Q. How old are you?—A. I am thirty-one.

Q. Where did you vote at the general election of November 5, 1878?—
A. At Curwinsville Borough.

Q. Did you pay a State or county tax at any time since 1876?—A.
Not that I remember.

Q. To whom did you pay the last State or county tax?—A. To Jacob
Ritter.

Q. Was or was not that the tax upon which you voted at the Presi-
dential election of 1876?—A. Yes, sir.

Q. Was or was it not paid long enough before said election to entitle
you to a vote at it?—A. That I don't know. I got a vote on it. I was
not asked any questions about it.

Q. Was Collector Ritter present at the 1876 election when you voted?
—A. That I don't know.

Q. Did you have a receipt for the payment of those taxes?—A. Yes,
sir.

Q. Have you it with you?—A. No, sir; I had it when I started from
home, but I lost it.

Q. Was or was not that receipt dated October 1, 1876?—A. I could
not just say the date, but I remember it was on the last day before
taxes could be paid at the election in 1876, thirty days before that elec-
tion.

Q. Do you mean that you paid those taxes thirty days before the
Presidential election of 1876?—A. Yes, sir.

Q. Was not that the last State and county tax you paid?—A. I think
it was.

Q. For whom did you vote for Congress at the general election of
1878?—A. Andrew G. Curtin.

Q. Did you reside in Pike Township, Clearfield County, Pennsylvania,
for more than one year immediately preceding said election?—A. Yes,
sir.

Q. Were you offered any money by any one in consideration of your
vote for Curtin for Congress?—A. Yes, sir.

Q. By whom?—A. Arnold Bloom.

Q. How much?—A. One dollar.

Cross-examination:

Q. Was your vote challenged?—A. No, sir.

Q. Did you read your ticket?—A. Yes, sir.

Q. Are you positive Curtin's name was on it?—A. Yes, sir.

Q. Had you not paid other taxes within two years preceding said
election?—A. I don't remember of paying any since I paid those to
Ritter.

Q. Did you pay any in 1877?—A. Not that I remember.

Q. Did you ever pay any to L. I. Bloom?—A. I don't remember of
paying any.

Q. Did any person pay any State or county tax for you within two
years preceding said election?—A. Some one must have paid it. I have
a receipt. I don't know who it was.

Q. Have you that receipt here?—A. No, sir.

Q. What is the date?—A. Don't remember the date.

Q. Was it dated 1877?—A. I don't remember. I did not look at it
particular.

Q. Was it given to you in 1877?—A. It was given to me on the day
of the election.

Q. Was it the election of 1877 or 1878?—A. On the day of the last
election, when Curtin ran.

Q. Were you ever asked to pay your State or county taxes during 1877 or 1878 that you remember of?—A. No, sir.

Q. When did Arnold Bloom offer you \$1 for your vote?—A. The day of the election.

Q. Where was he?—A. He was at the election polls.

Q. How close to the window?—A. As close as he could get.

Q. Was there any one else with you?—A. There was no one with me. There were several standing right there.

Q. Could they hear him talk and say what he did to you?—A. No, sir. He spoke to me there, and they heard that.

Q. Name some of the persons who were standing about you?—A. I can only remember of one man, Henry Best.

Q. What time of day was it when you voted?—A. I could not say what time; some time about the middle of the day.

Q. Who was present when you voted?—A. I don't remember who was present. There were several standing there, but I can't give their names.

Q. Did not some one offer you money or other valuable thing to vote for Seth H. Yocum?—A. No, sir.

Q. Do you swear that you were not offered money or any other valuable thing to vote for Yocum and the Republican ticket?—A. I do.

Q. You have voted the Democratic ticket before last fall, have you not?—A. Yes, sir. I never pay attention to Democrats or Republican. I vote for the man. I vote as much one side as the other.

Q. What time of day was it when you say Bloom offered you \$1 for your vote?—A. I don't remember the time; it was along about the middle of the day.

Q. Whom did you first tell that Arnold Bloom had offered you money for your vote?—A. I told it in this room the first time.

Q. Did you never tell it to W. C. Arnold?—A. No sir.

Q. Did you ever tell it to Ed. Livingstone?—A. No sir.

Q. Did you ever tell it to any person whatever until you came into this room for the purpose of testifying in the Curtin-Yocum contest?—A. Well, my wife and me had a little talk; I don't remember whether I told it to her or not, but if I did she was the only one.

Q. Did you have any talk with any person as to what your testimony should be, before or since you were subpoenaed to testify here?—A. No; I never told any one.

Q. Did any one approach you and talk to you on the subject?—A. Well, I don't know; people have approached me and asked what I should testify to, but I never told any one; these were persons since I came here, who knew I was subpoenaed.

Re-examined:

Q. Do you or do you not think Henry Best was present when Bloom offered you this money, and could he have heard the conversation about it?—A. No, he did not hear the conversation at all; he was not present when it was offered.

Q. You have stated that you voted in Curwinsville Borough; did you mean that?—A. I meant that I went to Curwinsville to the election. I voted in Pike Township, Clearfield County, Pennsylvania.

Q. Did you ever authorize or request any one to pay the taxes called for by the receipt you got on the day of the election?—A. Well, I don't know whether you call it authorizing or not. Some time before the election I was in Wm. Arnold's office and he spoke something to me about settling my taxes, but I cannot just say what.

Q. He spoke to you about it?—A. Well, he asked me if my taxes was paid, and I told him not, and I ain't sure but he told me not to trouble myself anything about the taxes, that they would be paid in time.

Q. Was or was not the name of Lewis I. Bloom signed to that receipt as collector?—A. It was.

Q. Do you know how many days before the election it was that you had the conversation with W. C. Arnold in his office, or was it before the election at all?—A. Well, it was some time before the election, a month or two.

Q. Then, as I understand it, you did not authorize any one to pay those taxes for you, but that W. C. Arnold spoke to you about them?—A. He merely spoke to me about it, and I paid no further attention to it; I did not know whether it was paid or not; I supposed from the talk we had that he would pay it.

Q. You don't know whether he paid those taxes or not, do you?—A. I don't know whether William Arnold paid them or not; I got the receipt, and that is all I know about it.

And further saith not.

SEYMOUR ROSS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN ANDERSON recalled and sworn.

Question. State, Mr. Anderson, if you have been home since you testified this morning and made search for the tax receipts.—Answer. Yes, sir.

Q. State—can you say now whether you have paid any State and county tax within two years preceding the general election of November 5, 1878?—A. There is the receipt. (Witness produces receipt.)

Q. Will you read it?—A. Will you read it yourself? (Witness hands the receipt to the notary, who reads as follows:

“CURWINSVILLE, *Sep.* 22, *A. D.* 1877.

“Received of John Anderson eighty cents in full for school tax for *A. D.* 1875, and also ten cents in full for poor tax for *A. D.* 1876, and also one dollar and sixty cents in full for school tax for *A. D.* 1877. Total, two dollars and fifty cents.

“\$2.50

J. F. RITTER, *Col.*”

Q. Is that the only tax which you paid within two years preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Is not that the receipt which you wanted to see when on the stand before, in order to testify correctly?—A. This receipt here now is the latest one I have paid.

Cross-examined:

Q. Have you any other receipt dated in 1876 or 1877?—A. I cannot recollect of any.

Q. Can you say when you paid your State and county tax for 1876?—A. I can't tell you the day of the week or the month, but I have not paid, as I stated before, within two years.

Q. Is this receipt from Ritter the only taxes you paid to Ritter?—A. This tax I paid him at the post-office there, and the postmaster handed me the receipt from Ritter.

Q. The question is, did you pay any other tax to Ritter?—A. That was the only tax he had against me.

A. What taxes was Ritter collecting?—A. I don't know.

Q. Did you always get receipts or take receipts when you paid taxes?—A. No; I did not.

Q. Do you know who was collector of State and county taxes for 1876 in Pike Township?—A. Well, I hain't certain, but I think it was Hiles.

Q. Did you pay any taxes to Lew Bloom?—A. Well, I won't affirm that, but I think that I did.

Q. Do you recollect of his asking you for taxes?—A. Yes, sir.

Q. Do you recollect when it was that he asked you?—A. No, sir; I don't.

Q. Were you not under the impression that you had a receipt from Bloom?—A. I can't affirm that.

Q. Do you mean that you are not sure whether you had or not?—A. Yes, sir.

Q. Do you remember what took place between you and Bloom when he asked you for your taxes?—A. No, sir; I don't remember.

And further saith not.

JOHN H. HENDERSON.

Attest:

[SEAL.]

WILLIAM RADEBAUGH,

Notary.

FRED'K O'L. BUCK.

Amanuensis.

Adjourned at 5.50 to meet at 7 o'clock p. m.

Adjourned to 10 o'clock a. m. at 8 o'clock a. m. February 27, 1879.

BENJAMIN HARTSHORN, Jr., affirmed:

Question. Where do you reside?—Answer. Pike Township, Clearfield County, Pennsylvania.

Q. Were you present at the Pike Township poll at the general election of November 5, 1878?—A. Yes, sir.

Q. Did you vote at said election, and what ticket did you vote?—A. I voted the Republican ticket, except for Congressman. Yes, sir; I voted there.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Were you present at the polls when Seymour Ross and Almstead Lewis voted?—A. I was present when Ross voted.

Q. Did you see Arnold Bloom there that day?—A. Between two and three o'clock, when I came down, I saw him.

Q. Did he or not seem to be actively engaged in working for the interests of the Democratic party?—A. He was actively engaged; I don't know on which side he was working. I supposed it was on the Democratic side, as he was a Democrat. I did not know anything else.

Q. Did you see him in intimate conversation with Seymour Ross and Almstead Lewis, or either of them, just before they voted?—A. I saw him talking with Seymour Ross; it was before he voted.

Q. Did you see Almstead Lewis there that day?—A. Yes, sir.

Q. Did you see Arnold Bloom talk to him?—A. I can't say I did.

Q. Did you see him with him?—A. Can't say I did see him with him.

Q. Did you see Lewis I. Bloom, tax collector of State and county taxes of Pike Township, at the poll on that day?—A. Yes, sir.

Q. Where did you see him?—A. In the election-house, where the board was.

Q. Did you see him (Lewis I. Bloom), the collector, have any tax receipts?—A. Yes, sir.

Q. Where did he have them, and about how many did he have?—A. He pulled them out of his pocket when I saw them. He had about twenty-five or thirty, or thereabouts—quite a bunch of them.

Q. Did you have any of them in your hand, and did you look at them?—A. Yes, sir.

Q. Describe them as near as you can.—A. They were receipts for State and county tax, without stating the amount.

Q. Were they signed by Lewis I. Bloom?—A. Yes, sir; I did not examine them all.

Q. Was the name of the party against whom the tax was inserted in the receipts, or was there a blank left for the insertion of the name?—

A. No, sir—yes, sir; there was a blank left for the insertion of the name.

Q. Were the receipts dated?—A. I did not notice the dates.

(Receipt marked exhibit H, and already offered in evidence, being the one testified to by Albert McGary, shown to witness by the notary.)

Q. Were the receipts which Bloom had similar to this one, with the date and name blank?—A. Yes sir; they were similar to that.

Q. Is or is not Lewis I. Bloom, collector, a Democrat?—A. Supposed to be a Democrat.

Cross-examined:

Q. How many of these blank tax-receipts that Bloom showed you were filled up and voted on by any one?

(Counsel for contestee objects to witness testifying to hearsay or anything but what he knows of his own knowledge; also, it is not cross-examination.)

A. I could not say that any of them were voted on. His son came in and asked him for some of those receipts; he pulled a handfull out of his pocket and laid them down on a desk before me; his son picked up some of them and walked out; we were sitting on a school desk.

Q. Were any of them dated at all?—A. I don't know that I examined more than one.

Q. Was it dated?—A. No, sir; I don't remember about the date.

Q. Is it an unusual thing for the tax collector to have with him blank receipts, with the name and date blank?—A. It didn't use to be, but of late I have noticed it.

Q. Do you know William C. Arnold, and was he chairman of the Republican county committee during the year 1878?—A. Yes, sir.

Q. Did you not hear him say, since this examination began, that he had a number of such tax receipts in his office or possession which he had not used?—A. All I heard him say was what he mentioned a minute ago.

Q. Is not that what he said to me a moment ago?—A. I was not paying particular attention to what he was saying about the tax-receipts, whether they were like them or not.

Q. Did you say to any one that you saw tax receipts in Arnold's office?—A. No, sir.

Q. Did you say so, or anything of that kind, in presence of Gideon Goodfellow?—A. No, sir; I did not mention that to Goodfellow.

Q. Did you have any conversation with Chairman Arnold before the election on the subject of tax receipts, or of getting votes by the use of money or other things?—A. No, sir.

Q. Did you tell Mrs. Moore, of this place, that Arnold was buying votes for Yocum, and that you told Arnold he had better be careful, or

something of that kind?—A. No, sir; I had no conversation of that kind with Mr. Arnold, and none of that kind with Mrs. Moore; I had not spoken to Mr. Arnold about the election during that campaign.

Q. Did you have any conversation with Mrs. Moore?—A. She was up at my place. I might have had some conversation with her; she is a politician and talks politics.

Q. Was it not a matter of current talk in Pike Township and Curwinsville Borough that Arnold was buying tax-receipts and votes?

(Counsel for contestee objects to the question as hearsay and not cross-examination, and further objects to all that the witness has testified to or may testify to as to anything to which he did not testify in chief.)

A. I don't know about the tax-receipts; I heard the conversation about the votes.

Q. Were you at Pike Township polls a considerable part of the day of election?—A. From between two or three o'clock until evening.

Q. Were you in the election house a part of the time?—A. Yes, sir.

Q. So far as you observed, was the election conducted according to law?—A. Yes, sir; so far as the board was concerned.

Q. Was there anything done by the board that had the appearance of fraud or illegality?—A. No, sir.

Q. Did you vote any part of the Democratic ticket at that election but for Congress?—A. No, sir.

And further saith not.

B. HARTSHORN, JR.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

JOB CURRY affirmed.

Question. Where do you reside and what is your age?—Answer. I reside in Lumber City Borough, Clearfield County, Pennsylvania; I am 25 on April last.

Q. State if you voted in the election district of Lumber City Borough at the election of November 5, 1878.—A. Yes, sir.

Q. State for whom you voted at said election for Congress.—A. I think I voted for Andrew G. Curtin, if I can spell right. His name was on the top of the ticket when I voted.

Cross-examined:

Q. How long have you resided in Lumber City Borough?—A. I can't tell exactly. I think I have had my residence there since last February, when I came from Cameron County, Pennsylvania.

Q. Did you have your place of residence in Lumber City Borough for at least two months preceding the election of November 5, 1878?—A. I had, with the exception of moving one bed and a stove to do a job of work.

Q. What was the job of work to which you refer?—A. The job of work was making square timber.

Q. Was your household goods and property, with the exception of your one bed and stove, in Lumber City Borough?—A. The household goods were; the house was a rented house.

Q. Is it not a common thing in Clearfield County for men who work in the woods in the manufacture of timber and logs to remain there while engaged at their work?

(Objected to because not cross-examination and because residence cannot be shown by custom.)

A. I believe it is the custom.

Q. Did you move one bed and stove to the camp in which you were working because you were abandoning your residence in Lumber City Borough, and intending to make the camp your permanent residence?

—A. I would call it only a temporary residence.

Q. As soon as your work was done, did you or did you not take up your residence in Lumber City Borough?

(Objected to for the reason that it is an attempt to put a desired answer in the mouth of the witness.)

A. My work is not done yet; but I have been moved back since the Monday before Christmas.

Q. What part of the work remains unfinished?—A. One raft that I took the contract of making after I moved back.

Q. Did you vote at any other poll than in Lumber City Borough?—

A. No, sir; because I had gained no residence any place else.

Q. Did you attempt to vote anywhere else?—A. No, sir.

Q. Was your vote challenged?—A. Not in particular; they just called me inside the election house to have a talk with me; it was done, I believe, to see whether I thought I had a right to vote or whether I had voted anywhere else.

Q. Was not the majority of the election board Republican in politics?—A. I believe there was but one of them Republican; there was one a Democrat formerly, but whether he voted it or not I cannot say.

Q. Did the board, so far as you know, have any knowledge of who you were voting for for Congress?—A. It was more than likely they knew I was a Democrat and would vote that ticket.

Q. Was your vote questioned for any other reason except this matter of residence?—A. I believe not as I heard of.

Re-examined:

Q. Do you know whether your ballots were numbered?—A. I could not say whether they all were; I know some of them were.

Q. State whether there was not some trouble in regard to numbering your ballots.—A. I believe there was; when they told me to come in, Mr. Hips went in, and they were jangling over whether I should get a vote or not.

Q. Do you not mean by Mr. Hips Mr. John Hips?—A. Yes.

Q. Was he not an active supporter of Curtin at that election?—A. I believe he was; he said nothing to me before; he was only watching my vote while they were challenging me.

Q. Did he or not go into the house when your vote was questioned?—A. He did; he got in before I did.

Q. What did he say when in there, if anything, as to your residence?—A. He said he thought my residence was all right; I had a right to vote; I did not pay much attention to what he did say.

Q. Did he or did he not go up with you to the window when you went to vote?—A. He did not go to the window that I noticed.

Q. Was he or not with you before you got to the window?—A. I believe I talked a few minutes to him on the porch; he asked me whether I thought I had a right to vote or not; I told him I thought I had.

Q. State whether you saw him that day, before when you saw him on the porch, to speak to?—A. I did not, for a week before, to the best of my knowledge.

Q. State how many beds you had in your house when you went into Ferguson Township?—A. I believe I had three with the one I took out.

Q. How many children have you?—A. Not any.

Q. State who, if any one, you left in charge of your house in Lumber City, when you went into Ferguson Township?—A. There was no one left in charge in particular, except to air the house.

Q. Who was to do that?—A. Mrs. Jameson, a neighbor, and my sister-in-law.

Q. State when you went back to Lumber City, and when you moved out?—A. I moved out on the 18th September, 1878, and came back the Monday before Christmas, 1878.

Q. You were then gone over three months?—A. That was the time, be what it will.

Q. State what kind of a house you lived in in Ferguson Township; what was the size, as near as you can tell?—A. It was only a shanty, and built for only making timber; it was 16 by 12, I think.

Q. Was it built of logs?—A. Yes, sir.

Q. Were they round logs?—A. Yes, sir.

Q. Was it one or two stories?—A. It was one and a half, I believe, but they were very small ones; I could not stand straight in the lower one.

Q. State whether you slept upstairs or downstairs in that shanty?—A. My wife and I slept down, the other men up stairs.

Q. Did you not first make an effort to get boarding in Ferguson Township?—A. Yes, sir; I did.

Q. Did not you say to Luther Ferguson that you would have to move out?—A. Yes; but at that time I expected to get a good house so that I could move out; I did not call this moving out.

Q. If you did not call it moving when you went out, how do you come to call it moving, on your oath, when you came back?—A. Because I had to hire a team coming back, and going out I did not.

Q. Was not that the only difference?—A. I had more stuff to move back.

Q. Did you have more than one load?—A. No, sir; but I had a pretty good load.

Q. Had you, within two years of November 5, 1878, paid a State or county tax, which was paid at least one month and assessed at least two months before the election?—A. Yes; here is my receipt, dated 1878, with the county treasurer's name to it.

And further saith not.

JOB CURRY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

Adjourned, to meet at 1.30 p. m., at 12.25.

February 27th, 1.30 p. m., continued.

D. L. FERGUSON sworn.

Question. State if you were one of the inspectors of the election held in the election district of Lumber City Borough, at the general election of November 5, 1878.—Answer. Yes, sir.

Q. State if Mr. Job Curry voted at that election.—A. Yes, sir.

Q. State who came with him when he came up to vote.—A. John Hips.

Q. State if John Hips was or was not an active worker for A. G. Curtin.—A. Yes, sir; he was.

Q. How long had Hips and Curry been together before Curry's vote was offered, if you can say?—A. That I can't definitely answer; he voted in the afternoon.

Q. State if Hips manifested much anxiety or not to get Curry's vote in.

(Objected to, unless he will testify what Hips said and did, so that the committee can judge whether he did or not.

Question withdrawn.)

Q. State what Hips did and said, and if he manifested much anxiety to get Curry's vote in?—A. When Curry came to the window to vote, Mr. Hips was with him. We told Mr. Curry to come into the school-room, and Mr. Hips next rushed into the school-room, ahead of Curry, very much excited, and wanted to know why Curry could not have a vote. There was a great deal said by Hips and fuss made by him and the board. I finally asked him what business he had in the room; he said he acknowledged he had no business there.

Q. State whether the fuss that was made in there was or was not caused by Hips' boisterous manner in attempting to get Curry's vote in.—A. It was entirely.

Q. State what your politics are.—A. I am a Republican.

Q. State what were the politics of the other members of the board.—A. The judge was a Democrat, and the other inspector was a Democrat.

Q. Were they active Democrats?—A. Anthony Hile is an active Democrat; the other inspector is a young man, and does not take much part in politics.

Q. State if the ballot of Job Curry was numbered.—A. He voted four tickets; two were numbered and two were not. "State," "Judiciary," "County," and "Sheep law" made the four tickets.

Q. Which two were not numbered, if you can say?—A. I believe it was "County" and "Sheep law" were not numbered.

Q. State if Job Curry resided in Lumber City Borough for two months immediately preceding that election?—A. No, sir; I don't think he did.

Q. When did he and his family move out of Lumber City Borough, and when did they return?—A. About one month before they moved out, and they returned about Christmas.

Q. Who was he working for while he was out of the borough?—A. He was working making timber for me.

Q. State whether he had a contract with you or was working by the day.—A. He had a contract.

Q. Had he finished his contract when he moved into the borough?—A. No, sir.

Q. How did he come to move back into the borough as early as he did?—A. Well, his wife got sick, I believe, was the reason.

Q. How long did he expect or intend to remain in the township when he moved out there from four to six weeks before the election, if you know?—A. He intended to stay until the job was finished.

Q. When will the job be finished?—A. In four or five days from now.

Q. Will that be earlier or later than he expected to complete the job when he first moved out of the borough?—A. Well, I presume it will be later; not more than a month later.

Q. He expected to be out of the borough about four months, then, before he could finish the job?—A. Yes, sir.

Q. What kind of a house did he live in when out there? Was it a shanty or not?—A. I never saw the house, but I understand families have lived in it before.

Q. Do you know—can you name any families who have lived in it?—
A. I cannot give any names.

Q. Did he transact any business in the borough while he lived in the township?—A. He did not carry on any business, except coming to the store.

Q. Is this house in the township near to where others dwell?—A. Yes; it is, to within a few rods.

Q. Is it in the woods or upon farm land?—A. I think it is just on the edge of the woods. I have heard them say so.

Cross-examined:

Q. Have you ever seen this magnificent mansion in which Curry resided while working on your square timber?—A. No, sir; I did not.

Q. Do you know, of your own knowledge, how far it is from other dwellings in that vicinity?—A. No, sir; nothing more than what other people told me—a few rods.

Q. Do you know, then, whether it is built on the fertile plain or in the howling wilderness?—A. Neither; a happy medium.

Q. Did Curry go there to cultivate the soil or cut down the primeval forest?—A. He went to cut down trees and make square timber.

Q. Did not Curry have a contract from you to make square timber for you?—A. Yes, sir; he had.

Q. Did he not take his wife with a bed and stove to the place mentioned for the purpose of enabling him to do that work?—A. I don't know what he took. He told me he was going to move out there.

Q. Did he not, after he had partially finished his job, get from you an additional contract or an enlargement of the first one?—A. We first artied for two rafts. He had worked a short time before he moved out. He then moved out, and about that time and before he moved out he artied for the additional rafts.

Q. Was the understanding when you gave him the contract for the two rafts that he should make the additional third raft, and was not the contract for the third raft reduced to writing some time after this?—A. Yes, sir.

Q. Had not Curry rented a property in Lumber City Borough and resided there for some time before he began work on this timber, and does not his wife occupy that same property now while he is at work in the woods?—A. Yes, sir.

Q. Was he not regularly assessed and registered in Lumber City Borough?—A. I believe so.

Q. Is not Curry a man who makes his living and supports his family by taking contracts of this kind, or day labor wherever he can get it?—
A. He is generally a day laborer. He don't take many contracts.

Q. Was the failure to number all of the different parts of his ticket Curry's failure?—A. Curry had nothing to do with numbering tickets.

Q. Who did number the tickets?—A. The inspectors both did it; one inspector numbered two, and the other the other two.

Q. Did you on account of the talk about Curry's right to vote forget to number those two parts of his ticket that you otherwise would have numbered?—A. Yes, sir; I did.

Q. Were there any other tickets not numbered?—A. No, sir.

Q. Was the election of Lumber City Borough in other respects legally conducted?—A. It was, to the best of my knowledge.

And further saith not.

D. L. FERGUSON.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
FREDK. O'L. BUCK, *Amanuensis*.

H. P. TOWNS produced and sworn.

Question. Were you the Republican inspector for the general election of November 5, 1878, for the election district of Huston Township, Clearfield County, Pennsylvania?—Answer. Yes, sir.

Q. State if you required persons who voted at that election, whose names were not on the registry-list, to make affidavits in writing.—A. We did, sir.

Q. Did the persons who were over 22 years of age, and did not vote on age, make such affidavits, and were they required, in addition to their own affidavit, to produce a qualified voter of the district, who made affidavit also as to their residence in the district for two months preceding the election?—A. Every man who we did not know was an actual resident had to swear himself, and produce another witness to do so also.

Q. By an actual resident, what length of time do you mean?—A. I mean men who we knew or did not know to be a resident of the township at least two months before the election.

Q. Did you not have in the room the registry-list?—A. We did so.

Q. Were not the names of voters checked off on the list as they voted?—A. They were not. That was never done in that township.

Q. State whether every person whose name was not found on that registry list was or was not required to make an affidavit in writing, either as to his age and residence or as to his payment of tax and residence.—A. I think there were some men who we knew had been in the township a year that we did not require to swear, but we made them produce their tax receipts.

Q. Was there a small or large proportion of the non-registered voters who were permitted to vote in this way?—A. Very few indeed, and they were prominent citizens well known in the township.

Q. What was done with these written affidavits taken from the other non-registered voters?—A. They were all put in the ballot-box and sealed up, and are there now.

Q. Were any returned to Clearfield with the return?—A. No, sir; they were not, I think.

Q. Do you remember of Jacob F. Cox voting at that election?—A. I do, sir.

Q. Did he vote on age or on payment of tax?—A. To the best of my knowledge, he voted on age.

Q. Did he or not make an affidavit that he was within the ages of 21 and 22 years?—A. He made affidavit that he was 21 years old last June.

Q. Is that affidavit with the others in the box, and will it be preserved?—A. It is, sir; and know it will now.

Q. What aged man was he, apparently?—A. I should not judge he was more than 22 or 23 years old.

Q. Do you believe that he was over 22 when he voted?—A. I can't swear whether he was or not.

Q. Who brought him to the polls to vote—to the window?—A. I can't say; he came into the room and swore first.

Q. Have you any knowledge as to how he voted, or are there any circumstances within your knowledge to indicate how he voted?—A. I have my opinion, that is all.

Q. What circumstances are your opinion based on?—A. On the class of voters that were around him when he came there and were with him when he voted.

Q. What were the politics of those persons surrounding him?—A. Democratic and Curtin voters.

Q. What was the conduct of these persons towards him?—A. I cannot say further on that subject than it was good.

Q. Did they talk to him or him to them?—A. I don't know; I was in a room.

Q. Was he not considered a Democrat?—A. Yes; he was.

Q. Was he not considered a Curtin Democrat?—A. Yes, sir; he was.

Q. From these circumstances, what is your opinion as to how he voted for Congress?

(Objected to as incompetent.)

A. I think he voted for Curtin, of course. I have no doubt of it in my mind.

Q. Has or has not Jacob T. Cox left Huston Township since the election?—A. Yes, sir; he left immediately after the election.

Q. Do you know where he is now?—A. He is supposed to be in the State of Michigan.

Cross-examined:

Q. Do you swear that Cox was over 22 years of age when he voted?—A. I do not, sir.

Q. Do you swear that he voted for Curtin?—A. I do not; I say to the best of my judgment.

And further saith not.

H. P. TOWNS.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

A. A. KELLEY affirmed.

Question. Where do you reside?—Answer. At Lumber City Borough, Clearfield County, Pennsylvania.

Q. Did you vote in Lumber City Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. How old are you?—A. I was born March 7, 1838.

Q. Did you pay in money, and yourself, any State or county tax within two years preceding said election?—A. I can't say I handled the money myself; the tax was paid in money, but I did not pay it myself with my own hands in money; I worked the tax out.

Q. Who was the tax collector?—A. John P. Hile.

Q. Have you a receipt for your taxes?—A. No, sir.

Q. Did you have any receipt?—A. No, sir.

Q. What were you working at for Hile, and when?—A. When he agreed to pay my tax I was rafting in timber, in March, 1878.

Q. Was Collector Hile present when you voted?—A. Yes, sir.

Q. Was your right to vote called in question by any one on account of non-payment of taxes?—A. It was by the board.

Q. Did you pay any State or county taxes within two years preceding said election, other than this one you paid to Hile in work?—A. I paid my 1876 tax.

Q. Did you pay your 1876 tax before the general election of 1876, and did you then vote on that tax?—A. I can't recollect when I did pay it.

Q. Don't you know whether or not you paid it before said election of 1876?—A. I could not say positively.

Q. Have you a receipt for your 1876 tax with you?—A. Yes, sir; but not with me.

Q. To whom did you pay that tax?—A. I sent it with my father to the treasurer.

Q. Do you mean the county treasurer; and, if so, what was his name?—A. Yes, I suppose it was the county treasurer; it was the man went around collecting the tax.

Q. Was it either Treasurer Wise or Treasurer McGaughey?—A. I can't tell which; I suppose it was one or the other.

Q. You are sure that was the tax for 1876, that your father paid?—A. I think so.

Q. Where was the county treasurer when your father paid him the tax—in Clearfield, or when he was going through the county?—A. I don't know certain.

Q. Give us the best of your recollection on the subject.—A. I think it was in Lumber City.

Q. Was it while the county treasurer was at Lumber City on his collection tour through the county?—A. If it was paid then, he was making a tour through the county.

Q. Who was collector of State and county taxes for 1876 for Lumber City Borough?—A. I don't recollect.

Q. What years' taxes was it you paid to Collector Hile in work?—A. 1877.

Q. Did you pay your State and county taxes for 1878 to any one?—A. No, sir.

Q. Other than your 1876 tax which you paid to the county treasurer, and your 1877 taxes which you paid in work to Hile, did you pay any State and county taxes within two years preceding said election of 1878?—A. No, I did not pay any other at that time.

Q. Are you not sure that your 1876 State and county tax was paid to the county treasurer?—A. I sent the money with my father, and he brought me the treasurer's receipt.

Q. Don't you know that that tax was paid in the early part of the year 1876, and before the unpaid State and county taxes were sent to a constable for collection?—A. Yes; it was.

Q. What was the amount of your work for John P. Hile by which you paid your State and county taxes for 1877?—A. Well, at that time I worked seven days and a half, at a dollar and a quarter a day.

Q. What was the amount of your State and county taxes for that year?—A. I was charged with 30 cents for 1877.

Q. Did you give him credit with that amount in your books against him?—A. Yes, sir; I gave him credit with it.

Q. When did you enter that credit?—A. About three weeks ago.

Q. Did you see Hile's duplicate for 1877, on the day of the election?—A. No, sir.

Q. Do you know whether or not your taxes are marked paid on that duplicate?—A. Yes; they are.

Q. Did you see them so marked?—A. Yes, sir.

Q. When?—A. About three weeks ago.

Q. By whom were they marked paid?—A. By Grier Hile, for his father.

Q. Did you see him mark them paid and was it at the time stated, three weeks ago?—A. Yes, sir; I see him mark it paid about that time; it was when we settled; the book had been left open till that time.

Q. Then on the day of the election of November 5, 1878, your State and county taxes for 1877 were not marked paid on the duplicate, were they?—A. No, sir.

Q. Did you request Grier Hile to mark them paid when you settled?—A. I did not ask him to.

Q. If at that settlement you had come out in Hile's debt, would not the collector have still held those taxes against you?—A. No, sir; I think not, by the contract we had.

Q. Was that contract that Hile was to pay your taxes?—A. Yes, sir; that was it.

Q. Had you not been working for Hile off and on during the greater part of the year 1878?—A. I think I only worked seven days and a half.

Q. When was that?—A. It was all in March.

Q. Did not Hile during that year pay you in money or otherwise more than the amount of that work?—A. Well, yes; he brought me out a little in debt.

Q. Did you settle with him during the year 1878?—A. No, sir.

Q. Did you work for him during this year of 1879?—A. No, sir.

Q. At your settlement two weeks ago, in whose favor was the balance?—A. In his favor.

Q. Did you not then know of this Curtin-Yocum contest, and that an effort would be made to throw out your vote on account of non-payment of tax?—A. No, sir. I had some talk about the contest, but did not know they would try my vote.

Q. Had you not heard that they were throwing out the votes of those who had not paid their taxes?—A. I heard no one say so, I believe.

Q. Had you not heard at the time of this settlement and the marking of these taxes paid that they were taking testimony in this contest?—A. No, sir.

Cross-examined:

Q. Were these taxes marked paid because Hile had agreed to pay them?—A. Yes, sir; because the book was left open between us, and when we settled they were marked paid, according to the agreement.

Q. When was the arrangement you had with Hile to pay your taxes for 1877 made?—A. It was made in March, 1878.

Q. State what the arrangement was.—A. Well, I offered to pay my tax; he told me not to mind it, that he owed me and would pay it.

Q. Had you offered to pay him in money at that time?—A. I told him I had best settle my tax. Of course, it would have to be money.

Q. Can you say now about how much Hile owed you when you spoke to him about paying your tax?—A. He owed me over four dollars for 1875, work done in 1875; then there was about 6 days of work of the last time when the contract was made.

Q. Did he not, then, owe you about ten dollars at the time he agreed to pay your thirty-eight cents tax?—A. Yes, sir; he owed me that or more.

Q. Was he not the collector?—A. Yes, sir.

Q. When your vote was challenged, was Hile or you called before the election board?—A. I was called in.

Q. What did the board say?—A. They said my tax was not marked paid, and then I went to the collector and I told him that my tax was not marked out. He said it was all right; that he had paid the money over. Then one of the clerks came in (the collector is a cripple

and cannot be moved without assistance); he told the clerk to write a notice in the shape of a receipt, and notify the board that my tax was paid.

Q. Was the collector able to go to the election house without being carried or assisted to go there?—A. No, sir; two of us led him up.

Q. Which one of the clerks was it that came to his house?—A. J. J. Sterling.

Q. Was the notice or paper writing that the collector signed taken to the election house and shown the board?—A. It was.

Q. After that, was your vote received?—A. Yes, sir; it satisfied the board.

Q. Was you ready and willing to be sworn, if they had required it, that your taxes were paid as you have stated?—A. Yes, sir; I was.

Q. Do you know what was written on this paper; whether the collector said anything about testifying that your taxes were paid?—A. I don't remember word for word what was on the paper, but I do remember it said that my taxes were paid in March, 1878.

Q. How long had you lived in Lumber City Borough?—A. About four years.

Q. Did you live there more than two months immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Are you a native born?—A. Yes, sir.

Re-examined:

Q. What became of that receipt of Collector Hile sent to the election board?—A. I don't know.

Q. Did or did not Hile on the day of the election agree to mark your taxes paid?—A. I did not ask him. He did not.

Q. Did Hile have any other taxes against you except these State and county taxes for 1877?—A. Yes, sir.

Q. Were any other of such other taxes marked paid at the time of your settlement about three weeks ago?—A. They were all marked that he had against me.

Q. What other taxes did he have against you?—A. School tax.

Q. Did you hear Hile agree on the day of the election to mark any other person's taxes paid?—A. No, sir; I did not hear him say he would mark any.

Q. You swear, then, do you, that in March, 1878, that Hile agreed to mark your State and county taxes for 1877 paid?—A. Yes, sir.

Q. What is Hile's politics?—A. He is a Democrat.

Recross-examination:

Q. Did you go to Hile in June, 1878, about your taxes, and what did he say to you then?—A. I went to him; he told me not to bother myself, that my taxes were paid.

Re-examined:

Q. Is not Hile now such a cripple as it is impossible he can leave home?—A. He can't leave home.

And further saith not.

A. A. KELLY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

F. I. THOMPSON affirmed.

Question. Where do you reside?—Answer. In Curwinsville Borough, Clearfield County, Pennsylvania.

Q. State if you have knowledge of any men who illegally voted for A. G. Curtin for Congress at the general election of November 5, 1878.

—A. I do not know of any person.

Q. Did you state in the presence of W. C. Arnold and H. L. Henderson or any other persons that you knew of six or any other number of illegal Curtin voters at that election?—A. I don't remember whether I stated that; if I did I heard it from other people; but I think I never said so at all; I knew nothing at all of my own knowledge; I heard other people talk.

Q. Did you not serve the subpoenas for the contestant in this case?—A. I served some of them—all that were sent to me.

Q. Did you say to any one that while engaged in that work you had discovered that certain persons had illegally voted for Curtin?—A. No, sir; I did not discover it; I heard some talk; no, sir.

Q. Did you say that you had heard of illegal Curtin voters?—A. O, yes.

Q. Give us the names of such persons as you have heard had voted illegally for Curtin.—A. Olmstead Lewis, Seymour Ross, Woods Appleton; that is all I can remember; I heard of Robert Addleman; that is all but Ben Johnson.

Cross-examined:

Q. Was there any talk between you and W. C. Arnold, and Arnold Bloom, about getting money from Chairman Arnold?

(Objected to because not cross-examination.)

A. Not with W. C. Arnold about getting money.

Q. What was the talk between you and either of the parties named? (Objected to because not cross-examination; Arnold Bloom's name was not mentioned in examination-in-chief; incompetent and heresay.)

A. Arnold Bloom asked me if I would accept of some Yocum money, to work for Yocum in the borough, from William C. Arnold, as he wanted them in the borough.

Q. Was that all?—A. I did not get it. I wanted it bad enough, but did not get it.

Q. Was you present at a conversation between W. C. Arnold and Arnold Bloom, in which Chairman Arnold said that Bloom's testimony, as given by him in this investigation, was correct?—A. I was present at such a conversation. W. C. Arnold said it was all correct except some little matter that he believed he thought was true, but W. C. Arnold said it was not correct.

Re-examined:

Q. Did not W. C. Arnold say that Bloom's testimony was correct in general, but that there were some matters that needed explanation, and that he, W. C. Arnold, would like to have been present to cross-examine said Bloom?—A. I believe he did.

And further saith not.

F. I. THOMPSON.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 6.45 p. m. to meet at 9 o'clock a. m. February 28, 1879.

And now, February 28, 1879, 4.45 p. m.—

A. A. WRIGHT affirmed.

Question. Where do you reside?—Answer. Pike Township, Clearfield County, Pennsylvania.

Q. Did you reside in Pike Township during the two months immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. How old are you?—A. Twenty-four, past.

Q. Have you paid your State and county taxes for the years 1876 and 1877?—A. I have.

Q. Did you pay those State and county taxes more than one month preceding the election of November 5, 1878?—A. Yes, sir.

Q. Were you born in this country, viz, the United States?—A. Yes, sir.

Q. Did you at the general election held November 5, 1878, offer to vote at the election polls of Pike Township?—A. Yes, sir.

Q. Did you offer at that time to offer due proof of your qualifications as a voter?—A. Yes, sir.

Q. When you so offered was your vote challenged?—A. Yes, sir.

Q. When you offered to make said proof of your qualifications, what did the election board do or say?—A. They did not do anything but hand back my ticket without giving any reasons why.

Q. Did you not ask them the reasons why they refused to take your vote?

(Objected to as leading.)

A. I did.

Q. Did or did they not make any reply?—A. They did not.

Q. Did the ticket or tickets which you offered to vote and which you presented as your ballot to the board contain the names of the Republican candidates?—A. They did.

Q. Was the name of Seth H. Yocum for Congress on one of the tickets you offered to vote?

(Objected to as leading.)

A. Yes, sir.

Q. Did you desire to vote, and offer to vote, for Seth H. Yocum for Congress?

(Objected to as leading.)

A. Yes, sir.

Cross-examined:

Q. When did you move into Pike Township, Clearfield County, Pennsylvania?—A. I think it was two years last spring, or three.

Q. With whom do you reside?—A. With my mother.

Q. Where does she live?—A. In Pike Township.

Q. In what part of Pike Township with reference to Curwinsville Borough?—A. Along the pike, about two rods from the borough line, on this side of Curwinsville.

Q. On whose property?—A. Thomas Ralston's.

Q. Adjoining whose property?—A. Benjamin Hartshorn's; but he is in the borough.

Q. Are you certain you know where the borough line is?—A. Well, I don't know exactly where the line is, but I know it is not over two rods away from the house.

Q. When did you first discover it was not more than two rods away from the house?—A. I am not exactly sure whether it is two rods; I discovered it about three years ago.

Q. By whom were you told where the borough line was?—A. I can't recollect who told me first.

Q. By whom were you told at any time?—A. By Benj. Hartshorn, sr., for one, Samuel Hulligan, and some others.

Q. When did you hear them talk about it?—A. I can't recollect the time.

Q. Did Wm. C. Arnold not tell you you were in the township since you were subpœnaed?—A. No, sir; he did not.

Q. For whom did you want to vote at the election of November 5, 1878, for Congress?—A. Seth H. Yocum.

Q. Are you certain?—A. I think I was.

Q. When did you pay your State and county taxes?—A. They were paid in time to get a vote; I can't just name the time.

Q. In what year?—A. I have paid three years—1876, 1877, and 1878.

Q. When did you pay your 1876 State and county tax?—A. I paid it in time to get a vote.

Q. State the month and year when you paid it?—A. October 6, 1876.

Q. To whom?—A. F. B. Caldwell, I guess.

Q. When did you pay your 1877 tax?—A. I can't tell the exact time; I could not find my receipt.

Q. To whom did you pay it?—A. To F. B. Caldwell.

Q. When did you pay your 1878 State and county taxes?—A. October 5, 1878.

Q. To whom?—A. To T. J. Robinson.

Q. Have you resided in Pike Township since 1876, or since what time have you resided there?—A. I have resided there, as near as I can tell you, about two years.

Q. Have you made your home, and did you consider your home at your mother's house since she resided in Pike Township?—A. That has been my home, certainly; I have not staid in the township all the time; I have been working out.

Q. Have you, within the two or three years you say you have resided with your mother in Pike Township, ever left her residence with the intention of permanently remaining away or making your home elsewhere?—A. No, sir.

Q. Was F. B. Caldwell collector of taxes for Curwinsville Borough?—A. Yes, sir, he was; he was constable.

Q. Was T. J. Robinson collector of State and county taxes for Curwinsville Borough at the time you paid him your taxes?—A. He must have been, or I would not have got a receipt from him.

Q. Did you pay those taxes yourself?—A. I did not exactly myself pay them, but I paid the party who paid them.

Q. Who paid them?—A. Vergil Stephenson.

Q. Have you since paid him?—A. I have satisfied him.

Q. Who was with you when you offered to vote on November 5, 1878, in Pike Township?—A. There was no one went up with me to the polls.

Q. Are you certain there was no one with you?—A. There was no one with me when I went up to vote; there were parties standing around.

Q. Had you offered to vote in any other election district in Clearfield County, on November 5, 1878, before you offered to vote in Pike Township?—A. I had.

Q. In what district?—A. I had tried to vote in the borough of Curwinsville.

Q. Who was with you when you tried to vote in Curwinsville? A. There was no one with me.

Q. Who told you to try to vote in Curwinsville?—A. No one; I thought I would try and vote where I had paid my taxes.

Q. Then you thought, on November 5, 1878, that you had a right to vote in Curwinsville, did you?—A. I did; because I was assessed there and paid my taxes there.

Q. Was not W. C. Arnold with you when you offered to vote in Curwinsville Borough, or just before you offered to vote?—A. No, sir.

Q. Did Wm. C. Arnold offer you any money or other valuable thing if you would vote the Republican ticket or vote for Seth H. Yocum?—A. No, sir.

Q. When were you subpoenaed?—A. Last Monday, I think.

Q. Were you here ready to testify before to-day?—A. No, sir.

Q. Did you have any conversation with any person with reference to your testifying in the Curtin-Yocum contest since you were subpoenaed?—A. I have told I was subpoenaed. I only told I could testify that I did not get a vote.

Q. Did you tell anything else?—A. Nothing else to my knowledge.

Q. Did you tell any person that they did not want you down here, for you would convict W. C. Arnold by your testimony?—A. I think I did not, for I don't know anything that would convict him.

Q. Are you certain you did not say so to any one?—A. I might have said they did not want me down here, but I am certain I did not say I should convict Arnold.

Q. Was your vote refused when you offered to vote in Curwinsville Borough?—A. Yes, sir.

Re-examined:

Q. Did or did not the election board of Curwinsville Borough, when they refused your vote, say that you could not vote in the borough but had a right to vote in Pike Township?—A. They did.

Q. Did or did you not, while living with your mother in Pike Township, frequently work by the day in Curwinsville Borough, and is not that why you were assessed and paid taxes in the borough?

(Objected to as incompetent, being the mere opinion of the witness.)

A. That was why.

Q. Did you not or did you pay to F. B. Caldwell, the collector of State and county taxes for the year 1877, sometime during the year 1877, yourself, and in money, your State and county taxes for 1877?—A. I did.

Q. Have you resided in this State during the last three years continuously?—A. Yes, sir.

Q. Did Arnold Bloom, or any one else, try to induce you to vote the Democratic ticket at the election of November 5, 1878?—A. No, sir.

Recross:

Q. Where did you vote in 1876?—A. In Curwinsville Borough.

Q. Where did you vote at the November election in 1877?—A. Curwinsville Borough.

Re-examined:

Q. Have not you and your mother lived in and out of Curwinsville Borough and Pike Township, but always lived in either district during the last three years?—A. Yes, sir.

Cross-examined:

Q. Where did you live in 1876 on the first day of November?—A. My home was in the township. I was boarding and working there for John Hill in the borough.

Q. Did you consider John Hill's your home when you were working

there about November 1, 1876?—A. I did not consider my permanent home. I was there from April till near Christmas.

Q. Where did you live about November 1, 1877?—A. I was living and working at John Hill's, in the borough, and boarding there.

Q. Where were you working and boarding about November 1, 1878?—A. I was working in the borough and boarding at home.

Re-examined :

Q. Did you board and have your washing done and make your home with your mother in Pike Township during the two months immediately preceding the election of November 5, 1878?—A. I did; that was my home; I was away a few days during the time.

Cross-examined :

Q. Was you on the registry of votes for Curwinsville Borough for the years 1876, 1877, and 1878?—A. To the best of my knowledge, I was.

Q. When you offered to vote in Pike Township, did you offer to make an affidavit that you had paid a State or county tax that had been assessed at least two months and paid at least one month before said election, and that you had resided in Pike Township at least two months preceding said election; and had you a qualified voter with you who offered to swear that you had resided in Pike Township for at least two months before November 5, 1878?—A. I had the tax-receipt, but I don't know that I said exactly I would swear. I had no party with me to swear, I had no chance for that.

And further saith not.

A. A. WRIGHT.

Attest :

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K. O'L. BUCK,

Amanuensis.

Adjourned at 6.40 to meet at 9 o'clock a. m. Saturday, March 1, 1879.

Now March 1, 1879, 9 o'clock a. m., adjourned to 2.10 p. m.

MARCH 1, 1879—2.10 p. m.

JOSIAH R. DUNLAP affirmed.

Contestant, by counsel, objects to the examination of this witness, for the reason that no notice has been served that he would be called.

Question. Where do you reside?—Answer. Pike Township, Clearfield County, Pennsylvania.

Q. Did the officer serving the subpoena on you supposing your name to be Joseph Dunlap, and did he subpoena you by that name?—A. That name was on the subpoena; I was away at Clearfield; he read the subpoena to pap, and he told him that was not my name, he had no son Joseph; he afterwards read the subpoena to me as Josiah, but it was written Joseph.

Q. Do you know if your name was supposed to be Joseph and not Josiah?—A. I never saw it wrote Josiah; my name is Josiah Ross and they always call me Joe.

Q. Is there any Joseph Dunlap living in Pike Township?—A. Not that I know of.

Q. If there were any there would you not be likely to know?—A. I think I would.

Q. You then are known as Joe Dunlap?—A. Yes, sir.

Q. Did you vote at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. For A. G. Curtin.

Q. How old are you?—A. Twenty-three on the 23d of August next.

Q. Did you yourself pay a State or county tax within two years preceding the general election of November 5, 1878?—A. No, sir; there was never any tax against me before this last election.

Q. Did you ever pay a State or county tax?—A. I did; I paid it; I had the fever, and Arnold Bloom paid it for me, and I afterwards paid Arnold Bloom.

Q. Did you ever pay a State or county tax to a tax collector?—A. No, sir.

Q. Did you go to the election of last November expecting to vote?—A. No, sir; I did not.

Q. Why?—A. I knew I had never paid any tax and could not vote without I had.

Q. Were you told when in Curwinsville on election day that your taxes were paid?—A. Yes, sir.

Q. By whom?—A. Arnold Bloom.

Q. Had you ever requested or authorized Arnold Bloom or any other person to pay those taxes for you?—A. No, sir.

Q. Have you any knowledge now that your State and county tax was paid except what you have been told?—A. When I reached my hand into the window I heard the tax collector say it was all right.

Q. Who was the tax collector?—A. Lewis I. Bloom.

Q. Did you ever have a receipt for those taxes?—A. No, sir.

Q. Did you ask the collector there whether they were paid or did he volunteer the information?—A. The board asked me for my receipt, and Lewis I. Bloom was in the school-house and spoke up and said it was all right.

Q. Do you know whether or no the taxes are now marked paid on the duplicate?—A. Yes, sir; they are; I saw the duplicate myself.

Q. When did you see it?—A. About a week after the election.

Cross-examined:

Q. Did you live in the State more than one year before the election of November, 1878?—A. Yes, sir.

Q. Did you live in Pike Township more than two months before that election?—A. Yes, sir.

Q. Was you born in the State?—A. Yes, sir.

Q. Did the collector of taxes tell you, when your taxes were paid, at what date they were paid?—A. He told me he thought they were paid on the 25th of September.

Q. Lewis I. Bloom was the tax collector of Pike Township at the time Arnold Bloom paid these taxes, was he not?—A. Yes, sir.

Re-examined:

Q. Do you know anything about the taxes being paid, or whether they were paid at all, except what Arnold Bloom and Lewis I. Bloom told you?—A. I don't, more than when I saw the duplicate they were marked paid. This was about a week after the election.

And further saith not.

JOSIAH R. DUNLAP.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FREDK. O'L. BUCK,
Amanuensis.

Adjourned at 2.45, to meet at 9 o'clock a. m., March 3, 1879, and again adjourned until 11 o'clock a. m. same day.

JACOB GEARHEART sworn.

Question. Where do you reside?—Answer. At Clearfield Town at present.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn, for the reason that the contestant or his counsel have not had such notice as is required by the act of Congress regulating the taking of testimony in contested elections.)

Witness withdrawn by counsel for contestee.

And further saith not.

his
JACOB + GEARHEART.
mark.

[SEAL.]

Attest: WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

J. B. CLOUSER affirmed.

Question. Where do you reside?—Answer. In Union Township, Clearfield County, Pennsylvania.

Q. Are you collector of tax (State and county) for Union Township, and have you been, and for what years?—A. I was collector of Union Township for State and county taxes for the year 1874.

Q. Have you been collector since that time?—A. I collected something over fifty dollars for Jacob Hess last summer.

Q. Do you know Elias Doney?—A. Yes, sir.

Q. Did he ever pay you any State or county taxes within two years preceding the election of November 5, 1878?—A. No, sir; he did not.

Cross-examined:

(Counsel for contestant objects to the testimony of the witness now sworn, so far as the same is intended to contradict the testimony of Elias Doney, because counsel for contestee has called Elias Doney and made a witness of him, and therefore cannot contradict his own witness. This objection is made to the foregoing questions and answers, and to all that may follow. Counsel for contestant, reserving the right to move the committee of Congress who shall hear the cause to strike out the testimony of the witness for the reasons set forth in the foregoing objections, now proceeds to cross-examine the witness.)

Q. Were there not unpaid State and county taxes in your hands for collection during the year 1876?—A. No, sir; there was not. There was no duplicate in my hands for 1876.

Q. Have you had any duplicate for State and county taxes since the Presidential election of 1876?—A. I had one last summer awhile, and the same one was given to me the other day again.

Q. Might not Elias Doney have paid a State or county tax to your wife or you after the Presidential election in 1876?—A. No, sir; he did not.

Re-examined:

Q. When did you settle up the duplicate you had in 1874?—A. I think I settled it about the time my office expired, in March court, 1875.

Q. Did you collect any State and county taxes after that, except what you stated, on Hess's duplicate?—A. No, sir.

And further saith not.

J. B. CLOUSER.

[SEAL.]

Attest: WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

Mrs. J. B. CLOUSER affirmed.

Question. Are you the wife of J. B. Clouser, who has just testified here?—Answer. Yes, sir.

Q. Do you reside in Union Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Are you acquainted with Elias Doney?—A. Yes, sir.

Q. Did he pay you any State or county tax within two years preceding the election of November 5, 1878, or pay such tax to you for your husband?

(Counsel for contestant objects to the taking of the testimony of this witness, for the reason that it is attempted to contradict the testimony of Elias Doney, of Union Township, who was made a witness by contestee, and it is therefore improper and contrary to the rules of evidence for contestee to contradict his own witness.)

A. No, sir; he did not.

Q. Did he pay any taxes whatever to you within that time?—A. No, sir.

Q. Had he paid any taxes to you before November 5, 1876; and, if so, what taxes were they?—A. Yes, sir, he did; but they were school taxes.

(Counsel for contestant, reserving the right to move to strike out the testimony of the witness before the committee who shall hear the cause, for the reason set forth in the objection to the witness testifying to anything that might tend to contradict Elias Doney, of Union Township, witness for contestee, now proceeds to cross-examine.)

Q. Did not Elias Doney leave money with you about or during the month of November or December, 1876, for your husband, in payment of certain taxes which he had for collection against said Doney?—A. No, sir.

Q. Did he leave anything with you at that time which was to be appropriated by your husband in the payment of taxes he had against said Doney?—A. No, sir; he did not.

And further saith not.

MRS. J. B. CLOUSER.

[SEAL.]

Attest:

WM. RADEBAUGH,
Notary.

T. O'L. BUCK,
Amanuensis.

Adjourned at 12.17 p. m. to meet at 1 o'clock p. m.

THOMAS LORD affirmed.

Question. Where do you reside, Mr. Lord?—Answer. In Knox Township, Clearfield County, Pennsylvania.

Q. Were you one of the inspectors of election at the election held November 5, 1878?—A. Yes, sir.

Q. What was done with the ballot-box used at said election after the votes were counted?

(Objected to by counsel for contestant. Counsel for contestant objects to the taking of the testimony of the witness now sworn relating to any irregularities or frauds in conducting the election of November 5, 1878, in Knox Township, also in relation to the custody of the ballot-box, and all other things which tend to impeach the legality or conduct of the election officers who held the general election of November 5, 1878, in Knox Township, for the reason that contestee, in his answer to the notice of contestant served upon him by A. G. Curtin, that his seat

(that is, of Seth H. Yocum) as Representative of the twentieth Congressional district of Pennsylvania of the Forty-sixth Congress of the United States, no frauds or other irregularities were alleged; and for the further reason that it is immaterial what was done with the ballot-box after the votes were counted, since no recount of the same has been ordered of said township; and for the further reason that the witness now sworn, being an inspector of said election, had nothing to do with the ballot-boxes after the vote was counted, under the laws of the State of Pennsylvania.)

A. I took it home with me.

Q. How long did you keep it in your custody?—A. I kept it until the last of January, and then I took it to the squire's, the nearest justice of the peace, J. M. McKee.

Q. Were you a justice of the peace?—A. No, sir.

Q. Was the box locked, or was it sealed with any kind of wax or any other adhesive material?—A. It was not locked or sealed; there was red tape tied around it.

Q. Was it so that the red tape could be removed and the box opened without difficulty?—A. The tape was tied around it several times and tied in a box-knot.

Q. While this ballot-box was in your custody did any persons come to your house to examine its contents; and, if so, state who they were and what authority they claimed to be acting under?—A. Yes, sir; they did. I was not at home. John Witherow and Robert Witherow came there and told my wife they had authority. They showed her a blank book that had a few names on it.

(Counsel for contestant objects to the admission of all that part of the answer given to the last question asked witness of which he has not testified of his own knowledge, but which was told him by his wife, because the same is hearsay, incompetent, and irrelevant to the matter at issue so far as Knox Township is concerned.)

Q. Who did they say they had authority from?

(Counsel for contestant objects to the question, for the reason that, from his last answer, the witness cannot testify to his own knowledge, but only to what others have told him; and, therefore, his answer must be hearsay, and is incompetent as evidence.)

A. I believe she did not tell me, only they said they had authority; they did not say who from.

Q. Did they open the ballot-box and peruse and examine its contents?

(Counsel for contestant objects to the witness answering this question, and to his answer to the same, unless he can answer it of his own personal knowledge, and not depend upon what others have told him, for the reason his answer would be hearsay and incompetent evidence.)

A. She told me they did.

Q. When your wife asked them if they had authority to open and examine the ballot-box, did they produce the blank book to convince her they had?

(Counsel for contestant objects to the question, and also to the answer of witness to the same, unless witness can answer the same from his own personal knowledge, and not depend upon what his wife or any one else may have told him, because his wife is a competent witness; and, therefore, his testimony is hearsay and incompetent.)

A. I believe she told me they did.

Q. Do you know whether or not they took any of the papers or ballots out of the box and away with them?—A. Not that I know of.

Cross-examined :

(Counsel for contestant, reserving the right particularly to move to strike out the testimony of witness before the committee who shall hear the cause, for the reasons set forth in the several objections made to his testifying, and especially for the reason set forth in the objection to his testifying to anything that would impeach the holding of said election and to the custody of the ballot-box after the votes were counted of the election of November 5, 1878, now proceeds to cross-examine.)

Q. Were you minority inspector in Knox Township at the general election of November 5, 1878?—A. Yes, sir.

Q. You did not see, did you, the ballot-box opened?—A. No, sir.

Q. You did not see, did you, any person who came after the ballot-box?—A. No, sir; not that day.

Q. You do not know, do you, that any papers or ballots were removed from the same before the day of the February election of 1879?—A. No, sir; I do not.

Q. As soon as the polls were closed on November 5, 1878, did the officers of election proceed to count all the votes cast?—A. Yes, sir.

Q. Did the officers holding the election make a full, true, and correct return of the votes cast for each candidate voted for?—A. To the best of my knowledge they did.

Q. Were these returns signed and certified to by all of said officers holding said election, so far as you know?

(Objected to by counsel for contestee as not the best evidence, as the return of the election officers, which is already in evidence, is the best evidence of what was done; and further objects to all the witness has or may testify to in regard to the matter, to which his attention was not called in chief.)

A. To the best of my knowledge they were.

Q. Were all of these certified returns, excepting the copy placed in the ballot-box, inclosed in envelopes and sealed in the presence of the officers, and one envelope, with an unsealed return-sheet, containing also a list of voters, tally-paper, and oaths of election officers, given to the judge of said election board?—A. They were, to the best of my knowledge.

Q. Was the vote, as soon as counted, publicly and fully declared from the window to the citizens present?—A. I believe not, to the best of my knowledge.

Q. Was a brief statement showing the votes received by each candidate made and signed by the election officers, and posted on the election house for the information of the public?—A. Yes, sir; it was made out and posted up. I can't say for sure whether it was signed.

Q. Was this statement, so far as you know, a correct statement of the number of votes cast at said election for each of the candidates voted for?—A. It was, to the best of my knowledge; all but one vote.

Re-examined :

Q. What are the politics of John and Robert Witherow?—A. To the best of my knowledge they are Democrats.

Q. Are they not known in Knox Township as Democrats, and engaged actively in working for the Democratic party?

(Objected to, because it is immaterial and irrelevant, hearsay, incompetent as evidence in the matter at issue.)

A. I don't know that I can tell you whether they are or not.

Q. What is your politics?—A. A Republican.

Q. Did Jack Bloom vote at the election of November 5, 1878, in Knox Township, and what are his politics?

(Objected to by counsel for contestant, because a list of voters of Knox Township of the general election of November 5, 1878, on file in the office of the prothonotary of Clearfield County, is the best evidence as to whether Jack Bloom voted at the general election of November 5, 1878, in Knox Township; and for the further reason that the witness's knowledge of the politics of Jack Bloom is based upon what others have told him, and is therefore hearsay; and for the further reason that Jack Bloom is the best evidence as to what his politics are.)

A. He voted in Knox Township. I can't tell his politics.

Q. Did or did he not reside with his father in Lawrence Township?—

A. I can't tell that.

And further saith not.

T. H. LORD.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDK. O'L. BUCK,

Amanuensis.

ALFRED C. WISE affirmed.

Question. Where do you reside?—Answer. In Knox Township, Clearfield County, Pennsylvania.

Q. Are you collector of State and county taxes for Knox Township, and for what years?—A. I am, for 1877 and 1878.

Q. Were any State and county taxes paid to you within one month of November 5, 1878?—A. No, sir; there was none paid to me after the 5th of October.

Q. Were you present in the election house while the votes were being counted?—A. I was present until about one o'clock at night, and then left.

Q. While the election officers were counting the votes, did you see any stickers containing the names of candidates dropped from the tickets and the ballots counted as if no stickers were on?

(Counsel for contestant object to the witness testifying to anything tending to show frauds or irregularities on the part of the members of the election board of Knox Township, at the general election of November 5, 1878, for the reason that in his answer to the notice that his right to a seat in the Forty-sixth Congress of the United States would be contested by A. G. Curtin, contestee did not allege any frauds or irregularities in the conduct of the election officers in the holding of said election in said township.)

A. Not any, except the Bard ticket.

Cross-examined:

Q. Were you constable, in November 5, 1878, of Knox Township?—A. Yes, sir; I was.

Q. Were you present at the polls in Knox Township on November 5, 1878, in pursuance of your duty as constable under the laws of the State of Pennsylvania?—A. Yes, sir; I was.

Q. Did you make proclamation publicly from the window of the election house, to the citizens present, of the vote as soon as it was counted, as you were required by the laws of Pennsylvania?—A. I did; I did not make it from the window, I made it from the door.

Q. Did you see a ticket which had been cast, and which was rolled

up, and when the count was being made was torn apart by the election officers.

(Objected to as not cross-examination.)

A. I saw the ticket, but did not see it torn apart.

Q. Did this ticket contain the names of the candidates for State, judiciary, and county officers?—A. That I could not be qualified to; I did not read the ticket.

Q. From its appearance did it contain the names of more candidates than there were in the field for State officers?—A. It contained the State, county, and judiciary.

Q. Were they all on one unseparated sheet or ballot?—A. Yes, sir; they were.

Q. Did you see the name of Seth H. Yocum for Congress on the same?—A. Yes, sir.

Q. Was this vote counted for Seth H. Yocum?

(Objected to as not cross-examination.)

A. I don't know.

Q. Do you know that it was thrown out and not counted?—A. I could not say.

And further saith not.

A. C. WISE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

DAVID MCCracken affirmed.

Question. Where do you reside?—Answer. In Knox Township, Clearfield County, Pennsylvania.

Q. Did you vote in Knox Township at November 5, 1878, and for whom did you vote for Congress?—A. I did; I voted for A. G. Curtin.

(Counsel for contestant objects to the witness testifying to anything which shall show, or by which shall be attempted to show, that he was not a resident in said township on August 5, 1878, for the reason that contestee, in his answer to notice of contest, does not allege that any non-residents voted at the general election on November 5, 1878, in said township for contestant.)

Q. Did you and your family, in the early part of the year 1878, remove from Knox Township and go to Virginia?—A. Yes, sir.

Q. Did you do so with the intention of not again returning to Knox Township, and of making your permanent home in Virginia, providing you were successful in making advantageous purchases when you arrived there?—A. I went with the calculation of staying if it suited me, and if not I would return.

Q. Would you not have remained there had you been able to buy land at the right figure, and other things suited you?—A. More than likely I would.

Q. Did you not go there with that intention?—A. I did, providing it suited me.

Q. When you left Knox Township did you not expect it would suit you?—A. I could not tell; I did not know anything about it; I did not know anything more about it than the rest of you.

Q. Did you take all of your family with you?—A. Yes, sir.

Q. Did you have an auction or vendue before you left, or did you dispose of your goods in any other way?—A. I sold them at private sale, what I did sell.

Q. Do you know exactly when you returned?—A. I could not say positively.

Q. Can you state positively whether or not it was two months before the election?—A. No; I can't tell.

Q. Was it not after September 5, 1878?

(Objected to as leading.)

A. I could not say now.

Q. Do or do you not think it was after that date?—A. I think it was in August I came back.

Q. Have you any way of telling exactly at what time you did return?—

A. I don't think I have for sure.

Cross-examined :

(Counsel for contestant, reserving all the rights to exceptions, now proceeds to cross-examine:)

Q. You say, do you, that you moved to Virginia in 1878, expecting to remain there if it would suit you; did it suit you?—A. No, sir.

Q. You left Knox Township, did you, intending to return thereto, if Virginia should not suit?—A. Yes, sir.

Q. Did you return to Knox Township?—A. Yes, sir.

Q. Did you reside in Knox Township, and was it the home of yourself and family for more than two months immediately preceding the election of November 5, 1878?—A. I think it was.

Q. Was your vote challenged?—A. No, sir.

Q. When you removed from Knox Township, did you leave any of your personal goods in said township, and did they remain there until your return?—A. Yes, sir.

Q. Then I understand you that you have not had any other permanent residence than that of Knox Township for more than one year preceding the election of November 5, 1878?—A. No, sir, I had no other residence.

Re-examined :

Q. What were you engaged in in Virginia?—A. I was working on a steam saw-mill.

Q. Were you housekeeping?—A. Yes, sir, in a kind of a way.

Q. For what length of time did you have your house rented?—A. I can't tell exactly what length of time.

Q. About how long?—A. I had it rented for no particular length of time. I was there about three months and a half.

Q. Why did you leave there?—A. Because it did not suit me. The country did not suit, it was not as good a country as I thought it was.

Recross-examination :

Q. Whilst in Virginia, did you go to housekeeping permanently?—A. No, sir; I did not.

And further saith not.

DAVID McCRACKEN.

Attest :

[SEAL.]

WM. RADEBAUGH, *Notary.*

FRED'K O'L. BUCK,

Amanuensis.

CHRISTOPHER STAFFORD sworn.

Question. Where do you live?—Answer. In Lawrence, Clearfield County, Pennsylvania.

(Counsel for contestant objects and protests against the taking of the testimony of the witness now sworn, so far as the same related to frauds

or irregularities or to illegal votes cast at the election of November 5, 1878, for A. G. Curtin for Congress in Lawrence Township, Clearfield County, Pennsylvania, for the reason that, in his answer to the notice of contest served by A. G. Curtin that his right to a seat in the Forty-sixth Congress of the United States would be contested, contestee made no allegation of fraud or irregularities, and has not alleged that any fraudulent votes were cast in Lawrence Township for contestant.)

Q. Did you vote at the general election of November 5, 1878, and for whom did you vote at said election for Congress?—A. I did; for A. G. Curtin.

Q. Did you vote in Lawrence Township for A. G. Curtin for Congress?—A. I did.

Q. How old are you?—A. I am forty-five years past.

Q. Did you yourself pay a State or county tax within two years preceding the election of November 5, 1878?—A. No, I have not.

Q. Have you a receipt for taxes paid by any other person, and will you produce it?—A. I have and will.

Q. When did you get this receipt?—A. I received it on the day of the election.

Q. From whom did you receive it?—A. Clark Brown.

Q. By whom was the tax paid?—A. By Israel Test.

Q. Was Israel Test chairman of the Democratic county committee. (Objected to as immaterial.)

A. He was.

Q. When did he tell you he had paid the tax?—A. He never told me.

Q. Who first told you your tax had been paid?—A. Mr. Test.

Q. When did he tell you?—A. Within thirty days of the election, I think.

Q. Did you ever pay Mr. Test or any other person the amount of this tax?—A. I have not; I owe him that much yet.

Q. When Clark Brown handed you this receipt on the day of the election, was that the first you knew of it?—A. No, sir; Mr. Test told me before.

Q. Had Mr. Test seen you before he paid this tax, and did he tell you that your taxes were unpaid, and that you had better pay them?—A. Yes, sir.

Q. How long before the election was this?—A. Five or six weeks before the election. I don't know the exact date.

Q. Did you tell him you would pay them?—A. I believe I did.

Q. When next did you see Mr. Test?—A. A day or two afterward.

Q. Did he again ask you whether you had paid them?—A. He did.

Q. Did you again tell him you would pay them?—A. No, sir; he told me he had paid them.

Q. Were these all the conversations you ever had with Mr. Test about this matter?—A. That was all.

Q. Did he not in all the conversations with you before he paid them tell you to pay them, and did you not always tell him you would?—A. I had no conversation with him only the one.

Q. Then you never gave him any authority, did you, to pay those taxes?—A. Well, I was not prepared to pay them myself and he would have to pay them.

Q. Do you swear that you authorized Mr. Test to pay those taxes for you?—A. I authorized him that far; I told him I was not able to pay them; I requested him to pay them because I was not able to pay them.

Q. Then, as I understand it, you had but one conversation with Mr.

Test before he paid this tax for you?—A. I only had one conversation with him about the tax.

Q. And in that conversation did not Mr. Test tell you that your taxes were not paid and request you to pay them?—A. He said I should attend to my taxes.

Q. Did you not reply to Mr. Test that you would attend to them?—A. Yes; at that time.

Q. When you told Mr. Test that you were not able to pay your taxes was it not in a conversation after he had paid them?—A. It was a day or two afterward.

Q. Was not that the time that you told him to pay them?—A. He said they were paid.

Cross-examined:

(Counsel for contestant, reserving all right to exceptions to the testimony of witness as set forth in the objection to his testifying to all things concerning the election of November 5, 1878, so far as the same relates to Lawrence Township, Clearfield County, Pennsylvania, now proceeds to cross-examine.)

Q. Have you a receipt for the payment of your State and county taxes for the year 1878 with you?—A. I have got it here.

Q. Will you read it?

Witness reads:

“TREASURER’S OFFICE, *Clf., Pa., Oct. 5th, 1878.*

“Received of C. D. Stafford the sum of $\frac{32}{100}$ dollars, being county and State tax for the year 1878, on his property situated and assessed in the township of Lawrence.

\$ $\frac{32}{100}$

(Signed)

“D. McGAUGHEY, *Treas.,*
“—— WRIGHT.”

Q. Were these taxes paid for you and upon your request?—A. They were.

Q. Did you, when they were paid, and do you yet consider yourself indebted to Mr. Test in the sum of 32 cents, the amount of said taxes which he paid for you?—A. I did, and I do.

Re-examined:

Q. Did you thus request him in the manner you have testified to?—A. I answer that a good many times, I think.

Recross-examined:

Q. When Mr. Test spoke to you about your taxes and you told him you were not able to pay them, did you not ask him to pay them for you, and in substance tell him that you would fix it with him?—A. Yes.

Re-examined:

Q. When did you tell him you would pay him?—A. Whenever I was able.

Q. Did you thus agree to pay him in the conversation when he told you he had paid the taxes?—A. I said I would fix it with him; I told him this in the last conversation.

Q. Did you tell him that in the first conversation he had with you?—A. The first conversation was nothing more than to find out if I had paid my taxes or not.

Q. Then in that first conversation there was nothing said about him paying the taxes for you and you paying him again, was there?—A. There was not.

Recross-examined:

Q. You have, have you, since Mr. Test paid your taxes in October, 1878, considered the payment made by him made for you and at your request?—A. I do.

And further saith not.

CHRIST. STAFFORD.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary.*

FRED'K O'L BUCK,

Amanuensis.

Adjourned at 6.50 p. m., to meet 10.50 a. m.

JACOB GEARHEART reproduced and sworn.

Question. Where do you live?—Answer. In Clearfield Borough, Clearfield County, Pennsylvania.

Q. Have you a wife and family?—A. Yes, sir; a wife and one child.

Q. Where did you live before moving to Clearfield?—A. In Bloom Township, Clearfield County, Pennsylvania.

Q. Did you vote in Bloom Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. As near as I can tell you I intended to vote for Curtin. I cannot read. I am no scholar.

Q. Are you a Democrat?—A. Yes, sir; I am, and always have been.

Q. Did you vote the Democratic ticket at said election?—A. As near as I can tell you I think it was. I got it from a Democrat. I cannot tell any more who gave it to me.

Q. Did you intend to vote for A. G. Curtin for Congress?—A. Yes, sir.

Q. Did you request the Democrat from whom you got your ticket to give you a Curtin ticket?—A. Yes, sir.

Q. When he handed you the ticket did he tell you it was that kind of a ticket?—A. Yes, sir; he did.

Q. Did you vote the ticket he gave you?—A. Yes, sir; I did.

Q. Have you any idea whatever that you did not vote for Curtin?

(Objected to for the reason that it is sought to obtain the witness' opinion, and not the fact as for whom the witness voted, and is therefore incompetent.)

A. No, sir; to tell the truth, I could not have any idea whether I did or did not; it was my intention to do so. I was led astray once. There was a man last fall gave me a hand for a Democratic hand, and it was a Republican hand out and out.

Q. After you were thus deceived were you not more careful about the party from whom you got your ticket?—A. I was careful of that man. I never got my ticket from that man any more. Certainly I was more careful after that.

Q. Did the party from you got your ticket read it?—A. No, sir.

Q. Did you pay a State or county tax within two years of November 5, 1878?—A. Yes, sir.

Q. To whom and when?—A. To Ellwood Walls, the first, or about the first, of September, 1877.

Q. Have you a receipt?—A. No, sir; it was not customary to get a receipt. In Penn Township they never asked a man for a receipt. I lived there three years.

Q. Was that the only tax you paid within two years?—A. No, sir; I

paid the 1878 tax to Greeley Anderson, constable, or George Bloom paid it for me.

Q. Did you see him pay it?—A. No, sir; I saw Greeley Anderson last court, and I asked him if he had got the tax from Bloom, and he said he had.

Q. Do you know when it was paid?—A. No, sir; the paper shows when it was paid, and out of my hands.

Q. When did you repay Bloom for it?—A. It was coming to me from Bloom at the time he paid it; the paper says on the 10th of October, 1878.

Q. Are these two taxes the only State or county taxes which you paid or were paid for you within two years?—A. Yes, sir; within those two years.

Q. When did you commence to move to Clearfield Borough?—A. On Monday, the day before the election.

Q. Do you mean the day before the general election of November, 1878?—A. Yes, sir.

Q. Did you or not on that day take your wife and family from Bloom Township, together with a portion of your goods?—A. Yes, sir; I did.

Q. Did you come to the borough of Clearfield on that day with your family and goods?—A. Only part of the goods. I had not the one-third here.

Q. Did you come with your family?—A. Yes, sir; my wife and child came, and after she came she would not go along back.

Q. Did she from that time remain in Clearfield and vicinity?—A. Yes, sir; she remained in Clearfield, but I can't tell whether she staid in the house or not.

Q. Has she or not been making her home in Clearfield ever since?—A. No, sir; she is not in Clearfield at the present time, and won't be any more.

Q. Did she or not make her home here until a short time ago?—A. Yes, sir.

Q. When did you move the balance of your goods?—A. I moved one load the day after the election, and I did not get the balance moved for two weeks afterwards.

Q. Did you intend to vote at all at the election?—A. I had no idea at all of voting until just before the election, but still I was not paid or hired to vote.

Q. Were you in Clearfield on the morning of the election?—A. No, sir.

Q. What time of day was it when you left Clearfield the day before the election?—A. Between two and three o'clock, sir.

Q. Did you not say to parties in Clearfield on that day that you did not intend to vote?—A. No, sir; I don't think I did.

Q. Did you not say that to parties elsewhere?—A. No, sir; I don't tell my business to everybody.

Q. Were you or not requested by parties to go back to Bloom Township and vote?—A. Yes, sir; by the two men who helped move me.

Q. Had you not told those two men that you did not intend to vote?—A. I told them I had a notion not to.

Q. Where and when did you tell them that?—A. Here at Clearfield, the day they moved me; George Bloom and his son were the men.

Q. Did you go back to Bloom Township with those two men?—A. Yes, sir; and staid all night at George A. Bloom's.

Q. How far does he live from where you moved?—A. About a quarter of a mile.

Q. Did you take your supper and breakfast at George A. Bloom's house?—A. Yes, sir.

Q. What time of the day did you vote in Bloom Township?—A. It was just before they went to dinner. I did not get there until about eleven o'clock. I staid at George Bloom's until that time.

Q. When did you bring the next load of goods?—A. The day after the election.

Q. Who brought that load down?—A. George A. Bloom's sons Isaac and Joseph. I fetched the cow down and they brought a load of feed. I carried the key of the house until after the election; that shows I did not give up possession.

Q. When did you bring the next load to Clearfield?—A. It was a week or two; I can't exactly tell.

Q. Was that the last load?—A. No, sir; after the election I had four loads.

Q. Who hauled them?—A. George A. Bloom's team hauled them.

Q. What was brought down on the second load after the election?—A. Some chairs, a cradle, some barrels, and some straw.

Q. What was brought down on the third load?—A. A cupboard, a churn, and some harness, a meat barrel and some straw.

Q. What was brought down on the last load?—A. Some straw.

Q. How many chairs were on the second load after the election?—A. I cannot tell.

Q. Were not all of your beds and bedding, clothing, and some of your chairs and provision brought on the first load?—A. No, sir; the provision, some of them, was brought down, and one pair of bedsteads; of bed-clothes we had mighty little.

Q. Were all the bed-clothes you had brought on that load?—A. Yes, sir; we only have two quilts.

Q. Were all of your beds and bedding on that load?—A. No, sir.

Q. How many beds were on it?—A. No, sir; only one; one was left back in the house.

Q. Where is that bed now?—A. It is up in my house here.

Q. Did you bring your stove (cook stove) on the first load?—A. Yes, sir.

Q. What is George A. Bloom's politics?—A. A Democrat, sir.

Q. When he told you the day before the election that you had better vote did he say who had requested him to ask you to vote?—A. No, sir.

Q. Did he say that any body had told him to ask you to vote?—A. No, sir; he did not coax me to vote.

Adjourned at 12.22 p. m. to meet at 1 o'clock p. m.

Examination continued.

Q. How old was your child when you moved here?

(Objected to as immaterial.)

A. The child was three years old the 6th of December last.

Q. Was your wife and child back to Bloom Township after you moved here?

(Objected to as immaterial.)

A. No, sir; they never went back.

Q. Did you or did you not go back to Bloom Township to vote?—A. I went back the same night and voted the next day.

Cross-examined:

Q. Did you reside in Bloom Township, Clearfield County, Pennsylvania, for more than two months immediately preceding the general elec-

tion of November 5, 1878?—A. Yes, sir; I moved there in November, 1877, and moved out in November, 1878, about one year.

Q. Was Bloom Township your place of residence until after the election of November 5, 1878?—A. Yes, sir.

Q. Was it the home of yourself and family until after said date and for more than two months preceding said election?—A. Yes, sir; except the election was on the 5th and my wife came to Clearfield on the 4th.

Q. You did not leave Bloom Township, did you, with the intention of remaining permanently out of said township until November 6, 1878, the day after the election?

(Objected to as leading and grossly improper as such.)

A. No, sir; my woman was to go back with me, but she was tired and the child was tired and they would not go back; she was to have gone back with me; she did not intend to stay, she merely came along to cook the dinners of the men who were moving us.

Q. Who had possession of the house in which you lived in Bloom Township until after the election of November 5, 1878?—A. I had, sir, myself; I carried the key and was in the house after I went back.

Q. What was in the house?—A. I had, as I stated before, some chairs, a cradle, a bed-tick, a pair of bedsteads, some harness, a churn, some barrels, a sack of flour, and some corn, some cooking utensils, boiler and things belonging to my stove; and more than that I have not lost my residence there yet; I have a plow, a harrow, a cultivator, and a timber sled at George Bloom's house yet.

Q. These things that were left in the house were left there so that you could still occupy it, were they?—A. Yes, sir; my rent is paid there until the 1st of April.

Q. Does Bloom, with whom you staid all night, keep hotel?—A. Yes, sir.

Q. Did you stop at George Bloom's and remain there until after the election because your wife did not go back to cook for you?—A. Yes, sir; I staid the one night at George Bloom's and paid him for my boarding, and the next night I was at John Bilger's, his nearest neighbor.

Q. Did you remain in Bloom Township from the day before the election to the day after the election of November 5, 1878?—A. Yes, sir; I did after I went back from Clearfield that day.

Q. Did you vote in any other district in the county on November 5, 1878?—A. No, sir; that is not my principle.

Q. Have you resided in Pennsylvania for more than one year, and in Bloom Township for more than six months preceding the election of November 5, 1878?—A. Yes, sir; I was born in Clearfield County, and was never out of the State in my life.

Q. Can you read writing or printing?—A. No, sir; I can't read writing or printed matter.

Q. You say, do you, that your ticket was not read to you?—A. No, sir; it was not read to me.

Q. When you say that you voted for Curtin do you base your answer upon belief that the ticket that was handed to you had the name of Curtin for Congress upon it?—A. He was the man I intended to vote for, and I took the word of the man that handed me the ticket that it was correct; I never unfolded the ticket at all.

Q. Might not the ticket given you have had the name of Seth H. Yocum for Congress on it for all you know?—A. Just as like as not, as easy as for the other man, for all I know.

Q. You do not know, do you, who gave you the ticket?—A. No, sir.

Q. You say that you paid a State or county tax to Elwood Wall in

1877. Was he collector of State and county taxes for Penn Township?—A. I believe he was; he had the duplicate, anyhow.

Q. You paid these taxes in 1877 to him, did you?—A. Yes, sir; for I left Penn Township in 1877; he was thrashing at my place when I paid them.

Q. You say that George Bloom paid a State and county tax for you in 1878, do you? Did he pay those taxes for you upon your request?—A. Yes, sir; I went with the constable to his place; I had not the money, and the constable was going to make a levy.

Q. How long before the election was it that you went to George Bloom with the constable and got him to arrange your taxes for you? Was it as much as one month?—A. I don't know the day; according to what George Bloom had it, it was about the 10th of October. I suppose he dated it the day he charged me with it.

Q. Might not Bloom have paid these taxes before the 10th of October?—A. The constable notified me about a month before he came around, and when he came for it he said he had to collect the tax a certain time before the election, and when he came he asked me for the money. I said I did not have it. He said he must have it, as that was the last day he had, "and I must levy on your horse and sell it." I said, "Don't do that; it will go for a mere nothing; George Bloom owes me, and," I said, "let us go to George Bloom and get him to pay it." He said, "All right; I will take George Bloom for it, if he agrees to pay it." Then we went to Bloom, and he agreed to pay it, and he said it was all right, and George Bloom kept it off me.

Q. Did George Bloom owe you at the time he became responsible for your taxes in 1878?—A. Yes; he did, and does yet.

Q. Did he say at the time he agreed to pay your taxes that he owed you?—A. Yes, sir; he told the constable he owed me.

Q. Do you know he paid the taxes he agreed to pay?—A. I seen Greeley Anderson, the constable, here last court, and I asked him if he had got the tax. He said yes, it was all right; that George Bloom had paid it.

Q. You did not stay overnight in Clearfield, did you, until after the election?—A. No, sir; and I did not stop to fix up a thing, except to fix the stove to cook the dinner for the men.

Q. Were you out of Bloom Township overnight at any time within two months immediately preceding the election of November 5, 1878?—A. I was at my brother's two nights the time of the Philipsburg meeting. My brother lives in West Clearfield; I was at the meeting and could not get home. West Clearfield is in Lawrence Township, Clearfield County, Pennsylvania.

Re-examined:

Q. Did you know that Bloom had paid your 1878 taxes to Greeley Anderson until you saw him at court?—A. No, sir; I did not, because I never saw him until that time.

Q. Then it was not paid on the day that the constable went with you to Bloom?—A. No, sir; he had not the money just then.

Q. Did Bloom on that day assume the payment of your taxes to Anderson?—A. Yes, sir; he did, and I have his paper to show it.

Q. How soon did Bloom say he would pay those taxes?—A. He told Greeley he would pay him the next day.

Q. Did you go away from Bloom's with the collector?—A. No, sir; I left the collector there and went home.

Q. You don't know then when Bloom paid the taxes?—A. No, sir; I don't; I don't think it was my business after Bloom assumed it; I had

nothing to do with Greeley Anderson after that. My taxes were paid that day, and Greeley Anderson did not hold me any more.

Q. You paid it by giving Bloom credit on his account with you?—A. Yes, sir.

Q. Did Bloom present you with his account against you?—A. Yes; he presented me with a statement of his charges against me.

Q. What is the date of the charge for the payment of this tax?—A. They say the paper says the 10th of October.

Q. Look at the paper and give us the date of the charge and the amount.

(Objected to for the reason that the witness has already stated he cannot read, and therefore must depend upon what others tell him as to what the date is in the account presented to him by Bloom, and the evidence would, therefore, be hearsay.)

A. I will give you the paper and you can read it; I can't read it.

Q. Can't you read figures?—A. I know figures when I see them.

Q. Look at the statement of Bloom's account and read the amount and the date.—A. Well, that is a 2 and 60; I want to know if that is it; I can't read it well; there is a 1 and a 0; what is that?

(Witness hands the statement to notary and requests him to copy the item.)

“Copy of item: To paying tax October 10, 2.60.”

Q. Did not George Bloom, on the day before the election, tell you that srael Test, chairman of the county committee, had sent him to you to tell you that if you moved that day you would lose your vote?

(Objected to because it is hearsay.)

A. Bloom said that Test said my vote would be lost.

Q. Who told you that?—A. Bloom did not tell me; I don't know who told me. I heard after that Test should have told Bloom that if my family was there I could not vote.

Q. Did you come here on the day before the election expecting to stay?—A. No, sir; I did not; I expected my wife to go back with me.

And further saith not.

his
JACOB + GEARHEART.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

M. D. REIDY affirmed.

Question. Are you a justice of the peace for Wallaceton Borough, Clearfield County, Pennsylvania?—Answer. Yes, sir.

Q. Were you present at the organization of the election board for that borough on November 5, 1878?—A. I am certain I was.

Q. Did you administer the oaths to the judge, inspectors, and clerks of said board?—A. My impression is I did; I have been in the habit of doing that.

(Counsel for contestant having made this objection immediately after the question was asked, the same not having been taken down, now objects to taking any testimony of witness now sworn so far as the same relates to the qualifications of the election board of Wallaceton Borough, as in contestee's answer no charges were made that said board had not been legally qualified.)

Q. Are you not sure that you administered the oaths to the board as a justice of the peace?

(Objected to as not the best evidence.)

A. My impression is that I did.

Q. Were any other oaths administered to those officers besides what you administered, so far as you know?—A. No, sir.

Q. Were you present with the board before they organized, and did you remain until after they commenced to receive votes?—A. No; I am not positive as to that; I was present before they were organized; it was necessary in order to administer the oaths.

Q. Did you remain for some time after they were organized?—A. Yes, sir; for some time.

Q. For what length of time did you remain?—A. I cannot say.

Cross-examined:

Q. Were all of the officers of the election board of Wallaceton Borough who held the election of November 5, 1878, duly sworn to perform their respective duties by you as justice of the peace in and for the county of Clearfield?—A. My impression is they were.

Q. Do you know Abraham Hummel?—A. I know two Abraham Hummels.

Q. Do you know Abraham Hummel of Wallaceton Borough, and did he reside in said borough more than two months preceding the election of November 5, 1878?

(Counsel for contestee objects to the foregoing as not cross-examination, and to everything else witness was not asked in his examination-in-chief.)

A. Yes, sir.

Re-examined:

Q. Are you the only man of the name of Reidy living in Wallaceton Borough?—A. Yes, sir.

Q. Is there any M. B. Reidy living in Wallaceton Borough?—A. No, sir; my name is M. D. Reidy.

And further saith not.

M. D. REIDY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

The witness having been called, and the counsel for the contestant being under the impression until the closing of the re-examination that the name of the witness was M. B. Reidy instead of M. D. Reidy, and having made objection to his testimony before he signed the same, and being prevented from having this objection put on the record before he signed his testimony, now, by consent of counsel for contestee, objects to the testimony of M. D. Reidy, witness just sworn and examined, for the reason that the contestant or his counsel had no notice of the taking of the testimony of M. D. Reidy, such as is required by the act of Congress regulating the taking of testimony in contested election cases.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

JOHN LEVI CONKLIN sworn.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn, for the reason that the contestant or his counsel have not had such notice, and has not had any notice of the taking of the testimony of the witness, as is required by the act of Congress regulating the taking of testimony in cases wherein the right to seats in the Congress of the United States are contested, and that the contestant has not had such notice as to enable him to be present himself, or to consult his counsel in reference to the testimony of witness.)

Question. Where do you reside?—Answer. In Lawrence Township, Clearfield County, Pennsylvania.

(Counsel for contestant here objects to the witness now sworn testifying to anything relative to any frauds or irregularities in the election of November 5, 1878, in Lawrence Township, Clearfield County, Pennsylvania, and also to any illegal votes which may have been cast in said township at said election, for the reason that in his answer to notice of contest served upon him by A. G. Curtin that his right to a seat in the Forty-sixth Congress of the United States would be contested, the contestee, Seth H. Yocum, made no charges or allegations of any frauds or irregularities, or that any illegal votes had been cast for contestant for Congress in said Lawrence Township, Clearfield County, Pennsylvania, and the testimony of witness must therefore be irrelevant and immaterial.)

Q. Did you vote in Lawrence Township at the general election of November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. How old are you?—A. About thirty-four next May.

Q. Did you yourself pay a State or county tax within two years preceding said election of November 5, 1878?—A. I did.

Q. When and to whom?—A. To R. H. Shaw, on June 8, 1878.

Q. Have you a receipt for the same, and, if so, will you produce it?—A. I have.

Q. Was this tax paid by you and at the time the receipt bears date?—A. Yes, sir.

Q. Did you get this receipt at that time?—A. Yes, sir.

Q. Is this the only State or county tax you have paid within said two years?—A. Yes, sir; it is.

Q. Read the receipt.

“LAWRENCE TOWNSHIP,
“Clearfield Co., Pa., June 8th, 1878.

“Received of J. L. Conklin the sum of one & $\frac{40}{100}$ dollars, being his county and State taxes for the year 1877 on his property situate and assessed in Lawrence Township.

\$1.40.

“R. E. SHAW, *Collector.*”

Cross-examined:

Q. Have you been a citizen of the United States for one month immediately preceding the election of November 5, 1878, and have you resided in the State of Pennsylvania for more than one year, and have you been a resident of Lawrence Township, Clearfield County, for at least two months immediately preceding said election?—A. Yes, sir.

Q. Have you within two years immediately preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Was your name upon the registry of voters upon the registry-list of November 5, 1878, for Lawrence Township?—A. Yes, sir.

And further saith not.

J. L. CONKLIN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

JAMES F. MULLEN sworn.

(Counsel for contestant make the same objections to this witness testifying as were made to the preceding witness, J. L. Conklin, to wit, want of notice, and the neglect of contestee to allege in his answer any frauds or irregularities in said township at the general election of November 5, 1878.)

Question. Where do you reside?—Answer. In Lawrence Township, Clearfield County, Pennsylvania.

Q. Did you vote in Lawrence Township at the election of November 5, 1878?—A. Yes, sir.

Q. How old are you?—A. Twenty-two years old in December, 1878.

Q. When were you born?—A. I was born on the 24th day of December, 1856.

Q. What evidence have you that you were born in December of that year?—A. Well, that is what the old folks tell me; they have it down in the Bible; I suppose they know.

Q. Did you ever see the entry in the Bible?—A. Yes, sir.

Q. Are you positive it was December 24, 1856?—A. Yes, sir.

Q. Did you ever pay a State or county tax?—A. No, sir.

Cross-examined:

Q. When you voted in Lawrence Township on November 5, 1878, did you vote on age?—A. Yes, sir.

And further saith not.

J. F. MULLEN.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary.*
FRED'K O'L. BUCK, *Amanuensis.*

HUGH MULLEN sworn.

(Counsel for contestant objects to the taking of the testimony of this witness, for the same reasons as stated in the objections made to the testimony of J. L. Conklin, of Lawrence Township.)

Question. Where do you reside?—Answer. In Lawrence Township, Clearfield County, Pennsylvania.

Q. Did you vote in Lawrence Township at the election of November 5, 1878; and, if so, for whom did you vote for Congress?—A. I did; for Andrew G. Curtin.

Q. Did you pay any State or county tax within two years preceding said election?—A. Yes, sir.

Q. When, and to whom?—A. On the 30th of June, 1877, to R. E. Shaw.

Q. Have you a receipt therefor, and will you produce it?—A. Yes, sir.

Q. Did you pay the tax to R. E. Shaw in money, and on the day of the date of this receipt?—A. Yes, sir; I did.

Q. Did you pay any other State or county tax within two years preceding said election?—A. Yes, sir.

Q. When and to whom; and have you a receipt for it?—A. I can't

just mind when I paid it; my father paid it, and I don't know who he paid it to; I have a receipt for it at home.

Q. Was it paid before or after the Presidential election of 1876?—A. I can't just remember.

Q. Did you or not vote on that payment of tax at the Presidential election of 1876?—A. Yes, sir, I did; on the one my father paid.

Q. Was it not paid, then, more than one month before the election of 1876?—A. Yes, sir; it was.

Q. Will you read the receipt which you got from Collector Shaw on the 30th of June, 1877?

“LAWRENCE TWP.,
“Clearfield Co., Pa., June 30, 1877.

“Received of Hugh Mullen the sum of $\frac{42}{100}$ dols., being his county and State taxes for the year 1876, on his property situated and assessed in Lawrence Twp.

\$ $\frac{42}{100}$.

“R. E. SHAW, *Collector*.”

Q. Have you paid any taxes assessed since this one paid to Shaw?—A. I paid my 1877 tax; my father paid them for me; I am working for him.

Q. Are you sure he paid your State and county taxes for that year?—A. I am pretty sure he did.

Q. To whom?—A. I don't know to whom he paid the taxes and got the receipt; he told me he paid them.

Q. Did he pay them more than thirty days before the 5th of November, 1878?—A. Yes, sir.

Cross-examined:

(Counsel for contestant reserving the right particularly to move to strike out the testimony of the witness before the committee who shall hear the cause, for the reasons set forth in the objections to his testifying, now proceeds to cross-examine.)

Q. Were you a citizen of the United States for more than one month immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for more than one year preceding said election?—A. Yes, sir.

Q. Did you reside in Lawrence Township, Clearfield County, Pennsylvania, for at least two months immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Have you within two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Re-examined:

Q. Do you know when your brother, James F. Mullen, was born?—A. He was born in 1856, December 24.

And further saith not.

HUGH MULLEN.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O'L. BUCK, *Amanuensis*.

G. W. REYNOLDS sworn.

Question. Are you passenger and freight agent for the Pennsylvania Railroad Company at Clearfield, Clearfield County, Pennsylvania?—Answer. Yes, sir.

Q. Have you examined the records and papers in your custody as agent to ascertain when circuses or shows visited this town during 1878?

(Counsel for contestant objects to the testimony of witness, as well as the question just asked, for the reason, 1st, that the records of the Pennsylvania Railroad Company, which are implied by the question to be in the custody of the witness, are the best evidence; 2d, because it is immaterial and irrelevant.)

A. I have, as far as the Sells' Circus was here.

Q. When was that circus here?

(Objected to as immaterial and irrelevant.)

A. Tenth of October, 1878.

Q. Have you with you any document belonging to the railroad company, giving information as to when said circus visited this town? And, if so, state what it is.—A. I have a forwarding report-book in my possession, showing the date of the manifest made for Sells Brothers' circus wagons and troupe from Clearfield to Emporium, Pa., dated October 10, 1878, made that day. I also have the card manifest, showing the shipment of Sells Brothers' wagons and troupe from Tyrone to Clearfield, dated October 9, 1878.

(Counsel for contestant objects to the answer of witness so far as the same is based from the card manifest, the date of which he has given, for the reason that he depends upon the correctness of others for the correctness of the date of the same, not having made it himself, and it is, therefore, hearsay, incompetent, and irrelevant.)

Q. Was that the only show or circus that visited or exhibited in Clearfield during the year 1878?—A. It was, to the best of my knowledge.

Q. On account of being ticket agent at Clearfield, would you not be in a position to know if any other show had visited Clearfield during that year?—A. Yes; if they were traveling troupes.

Q. Would you not know by the increase in the number of travelers?—A. Yes, sir.

Adjourned at 6 o'clock p. m. to meet at 7 p. m.

MARCH 4, 1879—7.25 p. m.

Cross-examined:

(Counsel for contestant reserving the right to all legal exceptions proceeds to cross-examine.)

Q. Was the circus or show of which you have testified in your direct examination the only show or circus that exhibited on the grounds north of Clearfield Borough during 1878?—A. Yes; it was the only circus or show that exhibited there.

Q. You are certain, are you, that it was not later than the 10th of October when that circus was here?—A. Yes, sir.

Re-examined:

Q. Have you with you the books and records of the Pennsylvania Railroad Company containing the information as to the date when the circus was here, and have you produced them for examination and inspection by counsel on both sides?—A. Yes, sir; I have.

Q. Have you shown the entries in these books to the counsel for contestant?

(Counsel for contestant objects to the witness answering this question until it shall have been shown by whom the entries in the books were made and denies that he has seen the records as made by witness, as counsel do not believe that the books were wholly prepared by witness himself.)

A. I have so far as relates to the show.

Q. Are these records kept by you and made under your direct supervision?—A. They are.

Cross-examined:

Q. Was the entry in the books referred to and which you have shown to counsel for contestant made by yourself individually?—A. No, sir; they were made by my assistant under my supervision.

Q. Was you present when the entry was made?—A. Yes; I was present, and I saw it so made.

Re-examined:

Q. Was Sells Brothers' show the only circus or annual show that exhibited in Clearfield or vicinity during 1878?—A. It was.

And further saith not.

GEORGE W. REYNOLDS.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JOSEPH REDINGER sworn.

(Counsel for contestant objects and protests to the taking of the testimony of the witness now sworn, viz, Joseph Redinger, for the reason that the contestant or his counsel have not had notice that the testimony of the witness would be taken on this the 5th day of March, 1879, before William Radebaugh or any other person in the matter of the contested election of Andrew G. Curtin for the right to a seat in the Forty-sixth Congress of the United States, and the contestant has not had time or notice such as would permit him to consult with his counsel or to direct them to be present and cross-examine the witness, and, therefore, has not had such notice of the taking of the testimony of the witness now sworn as is required by the act of Congress regulating proceedings in contested rights for seats in the Congress of the United States, he having been notified that the witness's name was Joseph Radager.)

Question. Where do you reside?—Answer. Lawrence Township, Clearfield County, Pennsylvania.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn so far as the same relates to any frauds or irregularities at the general election of November 5, 1878, in Lawrence Township, Clearfield County, Pennsylvania, or to any illegal votes which were cast at said election in said Township for contestant, because, in his answer to notice that his right to a seat in the Forty-sixth Congress of the United States as Representative for the twentieth Congressional district of Pennsylvania would be contested by Hon. A. G. Curtin, contestee, Seth H. Yocum did not allege or charge that any frauds or irregularities were committed at said election in said township, and for the further reason that he does not allege in said answer that any fraudulent or illegal votes were cast for contestant at said election in said township; the evidence will, therefore, be irrelevant.)

Q. Are you or not generally known by the name of Joseph Radaker?—A. No; in the whole town it is Redinger.

Q. Are you not often called Radaker by mistake, or are you not?

(Objected to for the reason that the witness has already testified that he is known by his right name, Joseph Redinger; the question is therefore improper.)

A. No; nobody calls me Radaker. O, yes; sometimes they do by mistake; people around town here all call me Redinger.

Q. Did you vote in Lawrence Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote the Democratic ticket at said election?—A. Yes, sir; I did.

Q. Did you or did you not vote for Andrew G. Curtin, the Democratic candidate for Congress?

(Objected to as leading.)

A. McPherson gave me the ticket; I asked him what kind of things they were, and he said the whole Democratic ticket.

Q. What is McPherson's first name, and what is his politics?

(Counsel for contestant objects for the reason that the witness cannot testify to the politics of McPherson from his own knowledge; his evidence would therefore be hearsay.)

A. I don't know; he lives up at the saw-mill; that is all I know. I can't tell his politics either; I expect he is a Democrat.

Q. Did you ask him for the whole Democratic ticket?—A. Yes, sir; I asked Wrigley for a ticket and he said, "There is McPherson; he will give you one."

Q. Do you or not mean Wrigley who is in Wallace & Krebs' office?—A. Yes, sir; I mean him.

Q. Is he a Democrat?—A. Yes, sir.

Q. Did you intend to vote for Curtin, the Democratic candidate for Congress?—A. That was my calculation. Yes; there was no other fellow running on the Democratic ticket but him.

Q. Did McPherson tell you that was the ticket he gave you?—A. Yes; he said it was the right ticket.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878?—A. I ought to have had it paid; I thought it was, but it turns out I paid the wrong tax.

Q. Have you with you the receipts for the taxes which you paid and upon which you voted at that election?—A. I heard that Shaw was tax collector, and I asked him how much tax there was against me, and he told me a dollar and fifty cents, and I paid it, and it turns out to be school and poor tax. I cannot read English and did not know what kind of tax it was.

Q. Will you hand that receipt to the notary public to be copied?—A. I will.

(Witness hands receipt to notary of which the following is a copy:)

"CLEARFIELD, *June 18th*, 1878.

"Rec. of Joseph Radicer, school tax and poor, 1876 and 1877, 1.50 cents.

"JOHN SHAW, *Col.*"

Q. Was this the payment of tax upon which you voted at last election?—A. Yes, sir, it was; I thought it was the right tax. I can't read English.

Q. Did you vote at the last Presidential election?—A. Yes, sir.

Q. To whom did you pay the taxes upon which you voted at that election?—A. I have forgot; Blake Wallis paid my tax and he gave me the receipt.

Q. Did you pay any tax within two years of the election of November 5, 1878, except those you paid to Shaw as stated?—A. No; I did not pay any other tax since 1876 tax.

Q. Would you have gone to the election had you known the taxes you paid to John Shaw were not State and county taxes?—A. I would have paid my other tax then if I had known. I would have paid my other

taxes if I had known the taxes I paid to Shaw were school and poor taxes. I thought they were the right ones I paid Shaw.

Q. How long before the election of November 5, 1878, was it since you had paid any taxes other than those you had paid to John Shaw?—

A. The last ones were for 1876.

Q. To whom did you pay that tax?—A. That is the tax Blake Wallers paid for me.

Q. Was that the tax upon which you voted at the last Presidential election?—A. Yes, sir.

Q. Was it paid long enough before that election to entitle you to vote?

A. Ninety days before the election.

Q. How old are you?—A. Forty-three years.

Cross-examined:

Q. Was your vote challenged at the election of November 5, 1878?—

A. No, sir.

(Counsel for contestant, reserving the right to all legal exceptions, further proceeds to cross-examine.)

Q. Can you read English?—A. No, sir.

Q. Did you read your ticket which you voted on November 5, 1878?

—A. No, sir.

Q. Then you do not know that you voted for A. G. Curtin for Congress, for certain, do you?—A. No, sir.

Q. Did you pay any taxes in 1877?—A. Nothing but what is on the receipt I gave to notary to copy.

Q. Did you vote in Lawrence Township in 1877?—A. I have voted there 1876, 1877, and 1878.

And further saith not.

JOSEPH RIEDINGER.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDERICK O'L. BUCK,

Amanuensis.

Adjourned at 11.30, to meet at 1 o'clock p. m. same day.

GABRIEL LUCAS sworn.

Question. Where do you reside?—Answer. Decatur Township, Clearfield County, Pennsylvania.

Q. Did you vote in said township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Did you pay a State or county tax within two years preceding said election of November 5, 1878?—A. No, sir.

Q. How old are you?—A. I will be 61 by 22d of July next.

Cross-examined:

Q. Did you read your ticket that you voted at the general election of November 5, 1878?—A. No, sir.

Q. Have you not paid some tax within two years preceding said election?—A. No, sir.

Q. Have or have you not paid any tax since the Presidential election?—A. I have not paid any tax for four years except what I paid the day after the election, neither State, county, school, or any other.

Q. Did or did you not see the name of Curtin on your ticket?—A. No,

sir ; I did not read it or look at it. If I had looked at it I could not read it, as I am no scholar.

Q. Then, you cannot swear positively, can you, that you did vote for A. G. Curtin ?—A. No, I could not exactly. A Democrat gave me the ticket, a brother-in-law of mine.

Q. Can you read either written or printed matter ?—A. No, sir.

Q. Then may not your brother-in-law have given you a ticket with the name of Seth H. Yocum on it ?—A. No, sir ; he did not do it, I know.

Q. Do you mean to say that your brother-in-law might not have done so ?—A. I say he did not do it ; but he might have done so, of course.

Q. Then, you cannot swear, can you, that you did not vote for Seth H. Yocum for Congress, so far as your own personal knowledge of the ticket you voted is concerned ?—A. No ; I could not swear positive.

Q. What is your politics ?—A. A Republican, and always was.

Re-examined :

Q. How many times have you voted for A. G. Curtin previous to the last election, near as you can tell ?

(Objected to as immaterial and irrelevant.)

A. I voted twice for him, I think.

Q. Did you or not tell your brother-in-law who gave you your ticket that you intended to vote for Curtin and request him to give you a ticket with his name on it ?—A. I did.

Q. Did he read the ticket to you when he gave it to you ?—A. Yes, sir.

Q. Did he read the name of Curtin ?—A. Yes, sir ; he read all the names on it. I will vote for him again if ever I get a chance.

Q. Did you vote the ticket your brother-in-law gave you ?—A. I did.

Cross-examined :

Q. What other names were on your ticket ?—A. I cannot tell.

Q. Cannot you give some of them ?—A. No, sir ; I cannot.

Q. Was the name of Hoyt upon it ?—A. I don't recollect ; he read the names of several candidates, but I do not recollect the names of any but Curtin. It was a full ticket.

Q. He read other names, did he, upon your ticket ?—A. Yes, sir.

Q. Cannot you remember one of them ?—A. No, sir ; I cannot. My memory is short.

Re-examined :

Q. Have you any reason for remembering the name of Curtin better than the others ?—A. Because I cared so little about the other parties. I wanted to vote for Andy Curtin.

Q. What ticket did you vote, Democratic or Republican, at that election ?—A. I voted the Democratic ticket, the first I ever voted.

Cross-examined :

Q. When you say you voted the Democratic ticket, do you not depend upon what others have told you ?—A. There was nobody told me anything about the election. I voted that ticket.

Q. How do you know you did ?—A. Because my brother-in-law read it to me.

Q. You depend then, do you, upon what your brother-in-law read to you for your knowledge of the ticket you voted ?—A. Yes, sir.

And further saith not.

his
GABRIEL + LUCAS.
mark.

[SEAL.]

Attest :

WM. RADEBAUGH, *Notary*.

FRED'K O'L. BUCK, *Amanuensis*.

Adjourned at 2.35 p. m. to meet at 1 o'clock p. m. next day, March 6, 1879.

GEORGE RICHARDS sworn.

Question. Where do you live?—Answer. Osceola, Clearfield County, Pennsylvania.

Q. How old are you?—A. I was 23 years old on 26th of January, 1879.

Q. Did you vote in Osceola Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andrew G. Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. When and to whom was that tax paid?—A. To Wm. Hamilton, on the 7th of May, 1878.

Q. Was that the only State or county tax you paid within two years preceding said election?—A. That is the only State and county tax.

Q. Was or was not that tax assessed on property in Osceola Borough?—A. Yes, sir; it was assessed to me. I built the house myself.

Q. By whom was that tax paid to the collector?—A. My mother.

Q. Have you a receipt for that tax, and will you produce it and read it? (Witness read receipt.)

“OSCEOLA, May 7th, 1878.

“Received of Mrs. Geo. Richards eighty-four cents & $\frac{84}{100}$ dollars, State and county tax for 1876.

\$ $\frac{84}{100}$.

“D. HAMILTON,

“W. B. HAMILTON.”

Q. Is or is not your mother now residing in the property on which this tax was assessed, and is she interested in it?—A. Yes, sir; all she is interested in it is she lives in it and I allow her to have a home in it. I built it for her to live in.

Q. Are you married?—A. No, sir.

Q. Are you sure this money was paid at the time this tax receipt bears date?—A. Yes, sir.

Cross-examined:

Q. Are you known in Osceola Borough as George Richards, jr.?—Yes, sir.

Q. Whose property was it upon which the tax, the receipt for the payment of which has been copied by the notary?—A. It is mine.

Q. You say it belongs to you?—A. Yes, sir.

Q. Did you give your mother the money to pay these taxes, and did she pay them for you at your request?—A. I don't remember whether I gave her the money or not. I never charged my memory with it. I either gave it to her then or she had it there. I gave her money along to buy things with. She paid them, however, for me and at my request.

Q. Then the property upon which these taxes were paid belonged to you, and the money that paid them was your money, was it?—A. I could not say that. The property belongs to me. There are two of us, my brother Alfred and I; we work together and give money to my mother to keep her. It would be hard for me to tell whether it was his or mine. It might have been half and half; the money, I mean.

Q. Have you had any conversation with Mr. D. Hamilton, collector, or W. B. Hamilton in reference to the payment of these taxes, the receipt for which has been read and copied?—A. Yes, sir. Only Mr. D. Hamilton told me he had some taxes against me; he asked if I could pay; I told him I could; I had not the money with me, and I told him I would pay him some time again.

Q. Was your vote challenged at the election of November 5, 1878?—
A. One of the board objected and called me in.

Q. Was D. Hamilton present when you voted?—A. No, sir; he might have been outside of the polls.

Q. Was W. D. Hamilton present?—A. No, sir; not that I know of.

Q. Has D. Hamilton, collector, ever told you since May 7, 1878, that the State and county taxes for which he asked you had been paid?

(Objected to as hearsay and incompetent.)

A. I never mind of him saying anything about them since.

Q. Is the property upon which these State and county taxes were assessed and paid the place of your residence?—A. Yes, sir.

Q. Does your mother, yourself, and brothers and sisters make your home together on this property?—A. All except one that is married.

Q. Do you and your brother support your mother?—A. Yes, sir.

Q. Has your mother rented this property from you, or is she making her home there with you?—A. No, sir; she has not rented it; she is making her home with me.

Re-examined :

Q. Did you direct your mother to pay the taxes?—A. Yes, sir; I did
And further saith not.

GEORGE RICHARDS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED. O'L. BUCK,
Amanuensis.

WM. MCGOWAN sworn.

Question. Where do you reside?—Answer. In Bellefonte, Centre County, Pennsylvania.

(Counsel for contestant objects to the examination of the witness now sworn so far as relates to any frauds or irregularities in the election of November 5, 1878, in Bellefonte, Spring Township, Centre County, Pennsylvania, or to any illegal votes cast in said township at said election, or to any fraud or irregularities alleged to have been committed in said Centre County, Pennsylvania, for the reason that contestant has not had such notice of the taking of the testimony of Wm. McGowan of Spring Township, Centre County, as is required by the act of Congress regulating proceedings in contested rights for seats in the Congress of the United States; and for the further reason that Andrew G. Curtin contestant, or his counsel, have had no notice whatever of the taking of the testimony of Wm. McGowan, resident of Spring Township, Centre County, Pennsylvania.)

Q. Where are you working?—A. For Sheriff Pie, of Osceola, Clearfield County, Pennsylvania.

Q. How long have you been working in Osceola?—A. I came there last Monday week.

Q. Is or is not that your residence now?—A. No, sir.

Q. Are you a married man?—A. I am.

Q. With whom are you boarding at Osceola?—A. George Lane.

Q. Is he a hotel-keeper residing in the borough of Osceola, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Have you a permanent job of work in Osceola?—A. I cannot tell.

Q. In giving your residence in answer to a former question, did you not mean your residence at the time of November 5, 1878?—A. It was in Spring Township when I voted.

Q. Do you consider that your residence yet, and is it the abode of your family?—A. Yes, sir.

Q. Did you vote at the election of November 5, 1878, in Spring Township, Centre County, Pennsylvania; and, if so, for whom did you vote at said election for Congress?—A. Yes, sir; I voted there, for Andrew G. Curtin.

Q. Did you pay any State or county tax within two years preceding said election?—A. I think I did.

Q. Did you pay any such tax yourself?—A. Irvin Taylor paid it for me.

Q. Have you a receipt for it?—A. Not here.

Q. Did you pay any other State or county tax within two years, or was any other such tax paid for you?—A. No, sir.

Q. When and to whom was the tax paid that Taylor paid for you?—A. It was paid to John Morrison, but I cannot tell when.

Q. Did you authorize Irvin Taylor to pay this tax before he paid it?—A. I did.

Q. Was that tax paid before the last Presidential election, and did you vote on it at said election?—A. I could not tell exactly whether it was or not; I don't know whether I voted on that tax or not, but I voted at that election.

Q. Do you not know that that tax was paid some time during the year 1876, while the Centennial Exhibition was in progress?

(Objected to as leading.)

A. I think it was paid since that.

Q. Was it paid long enough before the Presidential election to entitle you to a vote at said election?—A. I cannot tell you; I don't know.

Q. Can you swear that it was not paid more than one month before that election?—A. I cannot.

Q. Then can you swear that it was paid less than two years before the election of November 5, 1878?—A. No, sir; I cannot.

Q. If you stated in reply to a former question that you did pay a State or county tax within two years preceding the election of November 5, 1878, were you or were you not mistaken?—A. I can't tell whether I did or did not.

Q. How old are you?—A. Twenty-eight, going on twenty-nine.

(Counsel for contestant, reserving particularly the right to move to strike out the testimony of this witness now sworn, for the reasons set forth in the objection to him testifying, before the committee of Congress who shall hear the cause; and for the further reason that witness is known in this county under the name of William McGwin, of the taking of whose testimony contestant has also had no notice, as required by the act of Congress regulating proceedings in contested rights for seats in the Congress of the United States.)

Cross-examined:

Q. Was your home in Spring Township, Centre County, Pennsylvania, on the 28th day of February and on the 1st day of March, and did your family reside there at that time?—A. Yes, sir.

Q. Were you not called by many in Osceola, McGwin?—A. Yes, sir.

Q. Were you not commonly known by that name in Osceola?—A. Yes, sir.

Q. Do you believe that you paid a State or county tax within two years preceding November 5, 1878, which had been assessed at least two months and paid at least one month before the election of November 5, 1878?—A. I cannot tell for sure.

Q. Do you think you paid these taxes, or that they were paid for you, after the Presidential election of 1876, at which Tilden and Hayes were candidates?—A. I don't know whether they were or not.

Q. Was your vote challenged?—A. No, sir.

Q. Have you a receipt for these taxes at home?—A. I think I have.

Q. Did you read your ticket?—A. Yes, sir.

And further saith not.

W. McGOWAN.

Attest:

WM. RADEBAUGH, [SEAL.]
Notary.

FREDERICK O'L. BUCK,
Amanuensis.

J. F. BENNER sworn.

Question. Where do you reside?—Answer. Osceola Borough, Clearfield County, Pennsylvania.

Q. Were you a member of the election board for said borough at the election held November 5, 1878?—A. Yes, sir.

Q. What position did you hold on it?—A. Inspector.

Q. Were you or not the minority inspector?—A. Yes, sir; according to the vote generally.

Q. What is the politics of the judge and the other inspector of said election board?

(Counsel for contestant objects, because the answer of the witness must be based upon what he has heard, and therefore it is hearsay and incompetent as evidence.)

A. The judge's name is Patrick Gallagher, and he is a Democrat. The inspector's name was E. J. Duffy, and he was also a Democrat. I am a Republican.

Q. Who was the judge elected for said election?

(Counsel for contestant objects and protests to the taking of the testimony of the witness now sworn, so far as the same relates to any frauds or any irregularities of the election of November 5, 1878, in Osceola Borough, Clearfield County, Pennsylvania, and also to anything which may be intended to show that the election officers were not properly elected, sworn, and qualified to perform their respective duties as officers of the election in said borough in said election, for the reason that the contestee, Seth H. Yocum, has not, in his answer to the notice served upon him by Hon. A. G. Curtin, that his right to a seat as Representative for the twentieth Congressional district of Pennsylvania in the Forty-sixth Congress of the United States does not allege or charge that any frauds or irregularities were committed in said borough at said election, and for the further reason that he does not in said answer allege that the officers in said borough of said election were not legally and regularly elected and properly sworn to perform their duties respectively as officers of the election of November 5, 1878, in the borough of Osceola, Clearfield County, Pennsylvania, as required under the constitution and laws of said State.)

A. George Boalich.

Q. Was he present when the board was organized?—A. No, sir.

Q. Was any election held by the voters present for judge?

(Counsel for contestant objects, for the reason that the records and returns of said election on file in the office of the prothonotary are the best evidence and can be had; and counsel further renews the objection to witness testifying as to anything relating to the organization of the

election board who held the election in Osceola Borough on November 5, 1878, for the reasons set forth fully in said objection.)

A. The inspectors and judge were present; there were no voters present.

Q. By whose request did Patrick Gallagher act as judge?

(Objected to for the same reason as before, and because it is hearsay.)

A. At my request.

Q. When and how was Gallagher selected as judge?—A. It was a few days before the election, as we were about to appoint a judge, and he proposed Robert Laushe, and I supposed he would rather have a Democrat on, and chose Mr. Gallagher. At the time we were going to appoint the judge I was talking to Mr. Duffy about it, and my conversation was with him.

Q. Was Laushe, who Duffy, the other inspector, proposed, also a Democrat?—A. Yes, sir.

Q. About how many days before the election was it that you and Duffy agreed upon Gallagher as judge?—A. If I ain't mistaken it was on the Saturday before the election.

Q. Did either you or Mr. Duffy notify Gallagher thereof, and did he agree to serve?—A. Mr. Duffy notified him and he agreed to serve.

Q. Was that all that was done until the morning of the election in the matter, and did he agree to serve?—A. Yes, sir; and he did not object.

Q. Did he appear on the morning of the election in pursuance of an arrangement with the inspectors?—A. No, sir; Mr. Duffy went for him; I supposed he had notified him before, but he had not; he then went for him and he came.

Q. Who administered the oath to Gallagher, the judge just elected?

(Objected to for the same reasons as in the objections to witness testifying, and because it is not the best evidence, the returns of said election being on file and can be had.)

A. E. J. Duffy, the inspector.

Q. Who administered the oaths to the balance of the board?—A. Patrick Gallagher, the judge.

Q. What was done with the ballot-box after the ballots were counted?

(Counsel for contestant objects, for the reasons stated in former objections to witness testifying, and for the further reason that it is immaterial what was done with the ballot-box after the count was made, as no recount of the votes polled at said election in said borough has been ordered, and therefore it is immaterial what was done with the ballot-box, and the evidence will be irrelevant.)

A. It was left in the election house till the next morning, and I was informed the boxes were there, so I took them down to the nearest justice of the peace.

Q. Were you informed that it was the duty of the minority inspector to take the ballot-box to the office of a justice of the peace, and did you do it as such the next morning as stated?—A. Knowing that the other inspector was not there, I did it; I was not informed that way though.

Q. Was the ballot-box left in the election house that night unguarded?—A. I believe so.

Cross-examined:

Q. Was E. J. Duffy, who you said notified Pat. Gallagher that you wanted him for judge at the election of November 5, 1878, at Osceola Borough, an inspector, and a member of the majority party in said borough?—A. He notified him, and he was a member of the majority party as inspector.

Q. Was it upon your request and upon Duffy's approval that Pat. Gallagher was made judge at said election?—A. Yes, sir.

Q. Did not yourself and E. J. Duffy receive the same number of votes for the positions of inspectors of said election?—A. Yes, sir; we both had the same number of votes.

Q. By whom did you say Gallagher was sworn to perform the duties of judge of said election?—A. E. J. Duffy, inspector. I requested Mr. Duffy to do it, because he was a better reader than I am, and I had not my glasses with me at the time.

Q. You were present then, were you, when Gallagher was sworn?—A. Yes, sir.

Q. Was the vote cast at said election correctly counted?—A. Yes, sir.

Q. Was a brief statement showing the votes received by each candidate made and signed by the election officers after the vote was counted, and posted up on the election house for the information of the public?—A. Yes, sir.

Q. Were returns of the election showing the correct number of votes received by each candidate made and inclosed in envelopes containing an unsealed return sheet, one list of voters, tally-paper, and oaths of election officers?—A. Yes, sir.

Q. Was one of those envelopes given to the judge of said election?—A. Yes, sir.

Q. Was one of those envelopes, together with the ballots, registry, and other papers, placed in the ballot-box and sealed up?—A. Yes, sir.

Q. At whose house was the election held?—A. The Osceola House, kept by Meto Hoyt.

Q. What is the politics of Meto Hoyt?—A. A Republican.

Q. What time did you leave the election house and on what day?—A. At ten or half past ten on the day of the election.

Re-examined:

Q. What was done with the envelope for the minority inspector?—A. E. J. Duffy took it.

Recross-examined:

Q. Was the ballot-box in the same condition when you got it that it was when you left it on the evening of the election?—A. Yes, sir; it was; the seal was unbroken.

And further saith not.

J. F. BENNER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

J. O. RICHARDS affirmed.

Question. Where do you reside?—Answer. Osceola, Clearfield County, Pennsylvania.

Q. How old are you?—A. Twenty-eight years of age.

Q. Did you vote in Osceola Borough at the general election of November 5, 1878, and for whom did you vote for Congress?—A. Yes; for Andrew G. Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. I did.

Q. When and to whom?—A. I paid it May 18, 1878, to David Hamilton, collector.

Q. Have you a receipt for it, and will you produce it?—A. I have, and will.

Q. Did you pay that tax in money, and on the day of the date of that receipt?—A. I did, to the best of my knowledge.

Q. Was that the only State or county tax you paid within two years preceding said election?—A. Yes, sir,

Cross-examined:

Q. Have you a receipt for the payment of your State and county tax which was assessed at least two months and paid at least one month and within two years preceding the election of November 5, 1878?—A. I have.

Q. Will you read it?

Witness reads receipt:

“OSCEOLA, *May 18th*, 1878.

“Received of J. O. Richards, eighty-four cents, State and county, for 1876.

“84

D. HAMILTON, *Col.*”

Q. Was the money which you paid D. Hamilton, collector, on the 18th day of May, 1878, and for which the above receipt was given you, for State and county taxes?—A. That is what he called it, and what I considered I was paying, and he had his duplicate there to show it.

Q. Was D. Hamilton collector of State and county taxes for Osceola Borough, Clearfield County, Pennsylvania, for 1878?—A. Well I was always under that impression, that he was collecting taxes in 1878, finishing his duplicate for 1876.

Q. What are your initials?—A. J. O. Richards is my name.

And further saith not.

J. O. RICHARDS.

Attest:

[SEAL.]

WM. RADEBAUGH.

Notary.

FRED'K O'L. BUCK,

Amanuensis.

J. G. SHOFF sworn.

Question. Where do you reside?—Answer. At Osceola Borough, Clearfield County, Pennsylvania.

Q. How old are you?—A. Forty-one, past.

Q. Did you vote in Osceola Borough at the election of November 5, 1878, and for whom did you vote for Congress?—A. I voted for Curtin, in Osceola Borough.

Q. Did you pay a State or county tax within two years preceding said election?—A. I did.

Q. When and to whom did you pay it, and have you a receipt for it?—A. I paid one tax in May, 1877, to David Hamilton, for which I have not got the receipt, and I paid the other on November 28, 1877, to Captain Clark, for which I have the receipt.

Q. Did you pay this tax to Captain Clark at the time the receipt bears date?—A. Yes, sir, I did.

Q. Are these two taxes the only State or county taxes you paid within two years preceding said election?—A. Yes, sir.

Cross-examined:

Q. Have you paid a State or county tax within two years preceding the 5th of November, 1878, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Will you produce the receipt you have for the payment of the same, and read it?

Witness produces receipt, which reads as follows:

“Rec’d Nov. 28th, 1877, of J. G. Shoff, $\frac{2.00}{100}$, the same being State and county tax for the year 1877.

“THO’S E. CLARK, *Coll.*”

Q. Was Thomas E. Clark collector of State and county taxes for the year 1877?—A. Yes, sir.

Q. Was D. Hamilton collector of State and county taxes in 1877?—A. Yes, sir.

And further saith not.

J. G. SHOFF.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O’L. BUCK,
Amanuensis.

Adjourned at 6.15 to meet at 7 o’clock.

J. J. O’BRIEN sworn.

Question. Where do you reside?—Answer. Osceola Borough, Clearfield County, Pennsylvania.

Q. Did you vote in said borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. How old are you?—A. I was born in 1833.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. When and to whom?—A. On the 15th September, 1877, to David Hamilton.

Q. Have you a receipt, and will you produce it?—A. I have, and will. Witness produces receipt, which reads as follows:

“OSCEOLA MILLS, *Sept.*, 15th, 1877.”

“Received of Jerry O’Brian two dollars and eighty-seven cts., State and county tax for 1876.

“\$2.87.

D. HAMILTON, *Col.*”

Q. Is that the only State or county tax you have paid within two years?—A. I think it is.

Q. Did you pay this tax in money on the day of the date of this receipt?—A. Yes, sir; I paid it myself.

Cross-examined:

Q. Have you paid a State or county tax within two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Was David Hamilton, the man to whom you paid your State and county taxes, the collector of taxes in Osceola Borough in the year 1877?—A. Yes, sir.

And further saith not.

J. J. O’BRIEN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED’K O’L. BUCK,
Amanuensis.

LOUIS PLEUBEL produced and sworn.

Question. Where do you live?—Answer. Decatur Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. I will be 48 in next May.

Q. Did you vote in Decatur Township at the election of November 5, 1878; and, if so, for whom did you vote for Congress?—A. Yes, sir; for Andrew G. Curtin.

Q. Had you paid a State or county tax within two years before said election?—A. Yes, sir.

Q. When and to whom?—A. Can't remember, but I got the receipt two days after I paid it. I paid it to Levi Goss, collector.

Q. Will you read the receipt or hand it to the notary to copy?

Witness hands the receipt to notary, which reads as follows:

“DECATUR TOWNSHIP,
“Clearfield County, Pa., Jan. 22nd, 1877.

“Mr. LEWIS PLUBELL: You are hereby notified that your State and county tax for the year 1876 is \$—.57 cts., tax for 187— is \$—, tax for 187— is \$—, tax for 187— is \$—. You are required to pay the above amount to ——— at my residence, in said township, within ten days.

“LEVI GOSS,
Collector.

“Received payment in full.

“LEVI GOSS, Col.

“Return this bill and receipt for signature.”

Q. When was this tax paid?—A. This tax was paid in January, 1877.

Q. In this receipt the month and the year appear to have been written by different ink and by a different hand from the day of the month and the balance of the writing in it. Can you explain this?—A. I sent my tax in in January, 1877, by mail to the Blue Ball, to Mr. Goss, and then about a week or a few days I got the receipt back by mail. The receipt is just the same now as it was when I received it.

Q. Is that the only State or county tax you paid within those two years?—A. No, sir; I am only behind on my 1878 tax.

Q. To whom did you pay any other State or county taxes, and when?—A. I paid for the last four years my tax to Goss. I paid every year up to 1878 to Goss. This is the latest tax I have.

Q. Did you not pay all the other State or county taxes prior to the Presidential election?—A. I have paid all my taxes but for the year 1878. I have all the receipts at home. If this is not the right one, I have it at home.

Cross-examined:

Q. Have you paid a State or county tax within two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir; I did.

Q. To whom did you pay your 1876 State and county tax?—A. To Levi Goss, collector for Decatur Township, Clearfield County, Pennsylvania.

Q. To whom did you pay your State and county taxes for 1877?—A. To Levi Goss, collector.

Q. Was your vote challenged?—A. No, sir.

Q. Have you the receipt for the payment of 1877 taxes at home?—A. Yes, sir.

Q. Might it not have been in January, 1878, you paid your 1877 tax?—A. Yes, sir; that was the time I paid it last year.

Q. Then I understand you to say you paid your State and county tax for 1877 about January, 1878?—A. Yes, sir.

And further saith not.

LEWIS PLUBEL.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 8.35 p. m. to meet at 8 o'clock to-morrow, March 7, 1879, and again adjourned to 9.30 a. m.

DICKSON VERTZ sworn.

Question. Where do you reside?—Answer. Burnside Township, Clearfield, County, Pennsylvania.

Q. What is your age?—A. Forty-five years.

Q. Did you vote in the election district of Burnside Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. I don't know whether I can tell that.

Q. Did you or did you not vote for Andrew G. Curtin for Congress?—A. Well, I thought I did, but I did not look at my hand.

Q. Who did you intend to vote for for Congress?—A. For Curtin.

Q. Who gave you your ticket?—A. Daniel McCracken handed me my ticket.

Q. Was he or was he not a Democrat?—A. Well, I always considered him a Democrat.

Q. How long did he give you the ticket before you voted it?—A. I told him to fill me out a Curtin ticket right quick; I was in a hurry. He made out a ticket, and Daniel reached it to me. I just walked and put my ticket in, and did not look at it.

Q. You say you thought you voted for Curtin for Congress?—A. Yes, sir.

Q. Don't you think so yet?—A. Yes, sir; that is my opinion.

Q. What kind of tickets was Daniel McCracken giving out that day; Democratic or Republican?—A. I was not there long enough to see him giving out any.

Q. Did you pay any State or county tax during the year 1876?

(Objected to for the reason that it is wholly immaterial whether the witness had paid any tax prior to the Presidential election of 1876; that the only proper question under the law as it now stands is, "Has he paid a State or county tax within two years, and more than thirty days, that was assessed at least sixty days prior to November 5, 1878?")

A. I don't remember of paying any in 1876.

Q. When did you last pay a State or county tax?—A. I satisfied the collector, James Somerville, by giving him Horace Patchin for the taxes.

Q. When did you satisfy the collector, as you say?—A. It was along some time last winter; I can't tell exactly; this winter a year ago, I mean. I think it was along about the middle of the winter.

Q. Who was present, if anybody?—A. Daniel Fulton was in the store at the time, and some others, and Mr. Somerville.

Q. Do you know whether Patchin paid those taxes to Somerville?—A. Nothing but what Somerville tell me.

Q. Outside of that arrangement have you paid any State or county tax within two years preceding the election of November 5, 1878?—A. Not that I remember of.

Cross-examined :

Q. Was Somerville at the election-house when you voted?—A. Yes, sir.

Q. Is he or is he not the collector, and a Republican in politics?—A. He is the collector, and a Republican.

Q. Was your vote challenged?—A. Yes, sir.

Q. For what reason?—A. For non-payment of taxes.

Q. Did the election board inquire about the payment of your taxes, and did they or not ask anything of the collector?—A. Yes, sir; Somerville came up before the board and acknowledged that Horace Patchin had assumed my taxes; he said he looked to Patchin for them, and if he could not get them from Patchin he expected to pay them himself.

Q. Was it after this inquiry or before it that you voted?—A. It was after Somerville was called they took my vote.

Re-examined :

Q. How long before you voted did you conclude to vote for Curtin?—A. After I heard he was out for office.

Q. Do you mean to swear that you intended from the time Curtin came out for office as Congressman you intended to support him?—A. Yes, sir; it was my calculation to vote for him.

Q. Who were you working for prior to the election, and at that time?—A. Daniel McCracken.

Q. Did or did not Daniel McCracken ask you to go to the polls?—A. I let on to him I did not allow to go, and he still insisted on me going.

Q. What did he say to you when he insisted on your going?—A. He said sooner than I would not go he would pay me for my afternoon's work.

Q. How much time did you lose by going to the election?—A. I did not go back to McCracken's to my work until next morning. I lost a half a day, having quit my work at noon of the day of election.

Q. When was it that McCracken agreed to pay you for your half day if you would go to the election and vote?—A. On the forenoon of the election-day; he told me that several times in the forenoon.

Q. Did you then agree to go to the election?—A. Not till after I started to go to the election; I told him I was going after I started.

Q. It was the understanding, then, that you were to be paid for your half day that you were at the election voting?—A. I made no calculations on getting any pay for the afternoon; I considered it a joke between us; I made no calculations on getting anything.

Q. Did you agree to go to the election until after McCracken had agreed to pay you for the half day?—A. I talked about going all along until the day of election; I then said I thought I would not go, and he made me the offer of my time.

Q. Did you on that day agree to go until after he made you that offer?—A. I did not agree to him at all to go.

Q. Did you go till after he made you that offer?—A. No, sir; not till after.

Q. Do you keep a time-book of your time that you worked for McCracken?—A. Yes, sir; but I have not got it along.

Q. How do you mark your time in that book?—A. I mark the day of the month.

Q. And how do you distinguish between a day's work and a half-day's work?—A. I put down one-half day down, and one day for a day's work.

Q. Which have you marked for November 5, 1878?—A. I marked a half-day's work.

Q. When did you make that mark?—A. The evening of the election, when I went home.

Q. Did you or not, then or since, intend to hold McCracken for the pay or ask him for the pay of the other half-day?—A. No, sir.

Q. What candidate did McCracken speak about voting for when he urged you to go to the election?—A. Mr. Bennett.

Q. And who else?—A. I don't know as there was anybody else.

Q. Who did he advocate for Congress, Curtin or Yocum?—A. Well, he told me he did not like either one, but who he voted for I can't say.

Q. Which did he express a preference for?—A. I don't know but what he talked in favor of Curtin.

Q. Did he not talk in favor of Curtin?—A. I believe he did talk a little in favor of Curtin.

Q. Did he not speak to you about voting for Curtin?—A. I don't know as he ever asked me to vote for Curtin.

Q. Did you hear any little commercial transaction between Daniel McCracken and Elijah O'Dell concerning the pasturing of a calf providing he (O'Dell) would go to the election and vote for certain persons?

(Objected to the witness answering that question unless he can testify whether the calf was a bull calf or not, and whether the pasture was good, and the quantity of pasture the calf could eat.)

A. Yes; I heard some conversation to that effect.

Q. Please detail that conversation as near as you can recollect it, stating first the time and place where the parties were together.—A. We were in the woods making timber in Burnside Township, about a week or so before the election. Daniel McCracken was electioneering for Bennett, the Democratic candidate for the legislature, and Elijah O'Dell was against him. Daniel McCracken told him (O'Dell) if he went to the election and voted for Bennett he would not charge him anything for the pasture of his calf.

Q. Do you recollect of his speaking of other candidates besides Bennett?—A. Not on the calf question, I believe.

Q. Did he not speak of the Democratic ticket?—A. There was nothing particular said about that; he was satisfied before that O'Dell would vote the Democratic ticket, only he was an enemy of Bennett's.

Q. Was not O'Dell opposed to Curtin as well as Bennett?—A. Well, I have heard him say he did not like Curtin, but he was going to vote for him.

Q. Do you swear that you did not hear McCracken say anything to O'Dell, either in the calf conversation or in any other conversation at any other time, about O'Dell voting for Curtin?—A. Why, we had several conversations about the election and voting for Curtin. McCracken, he was a Bennett man, and they were arguing with him more for fun than anything else.

Q. Did you ever hear McCracken talk in favor of Curtin to O'Dell at any time?—A. Well, I have heard him talk in favor of him; that is, that he would vote the whole Democratic ticket.

And further sayeth not.

DIXSON VERTZ.

Attest:

[SEAL]

WM. RADEBAUGH,
Notary.
FRED'K. O'L. BUCK,
Amanuensis.

DANIEL McCracken affirmed.

Question. Where do you reside?—Answer. Burnside Township, Clearfield County, Pennsylvania.

Q. What is your age?—A. Thirty-five.

Q. Did you vote in the election district of Burnside Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. I guess I voted for Curtin; I won't swear to that positive.

Q. Is that your opinion and belief?—A. Yes, sir.

Q. Do you mean that you feel satisfied in your own mind, and are yet not so positive as to swear to it absolutely?—A. That don't suit me altogether, for I am not clear on the subject. I guess, by all accounts, I voted for Curtin.

Q. Had you paid a State or county tax within two years preceding the general election of November 5, 1878?—A. Why, I believe not, according to the returns here.

Q. When did you last pay a State or county tax, as nearly as you can recollect?—A. In 1876; I think I paid it to the treasurer of Clearfield County at Burnside.

Q. About how early in the year was it?—A. In July or June, I believe, of 1876.

Cross-examined:

Q. Are you sure that it was not in June or July, 1877, that you paid this tax?—A. It was not in 1877; as to the months I am not sure.

Re-examined:

Q. What treasurer did you pay those taxes to, and were they not paid in legal time; that is, one month or more before the Presidential election of November, 1876?—A. It was in the forepart of the season, sometime in harvest, over one month before that election. I think David McGaughey was treasurer.

And further sayeth not.

D. W. McCracken.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDERICK O'L. BUCK,

Amanuensis.

D. W. CRACKEN recalled and affirmed.

Question. State whether you offered pay any of the men who were were working for you, or any other men, for their time if they would go to the election of November 5, 1878, and vote for certain candidates.

(Question objected to, unless the answer be confined and limited to what is material in this case, and at the proper time will ask such parts as are not material to this issue to be excluded.)

Answer. I did tell certain parties that I would allow their full day. They were Elijah O'Dell and Dixon Vertz.

Q. How did you come to make this agreement with them?—A. Because they were working for me, and they could not put in their full day and go to the election, and they did not want to lose their time, particularly O'Dell.

Q. Who were these parties to vote for under this agreement?—A. There was no positive agreement made about the Congressional ticket; there was nothing said on the subject of the candidate for Congress.

Q. Who was the positive agreement made as to?
(Objected to as wholly immaterial in this contest.)

A. It was in regard to the candidate for assembly.

Q. Did you or did you not agree to pay them for their time if they went to that election and voted for Bennett, the Democratic candidate for the legislature?—A. Yes, sir; I did.

Q. Did you or not, at any time, say anything to these parties with whom you made this agreement, either at the time the agreement was made or at any other time, about their voting for Curtin?—A. Not to the best of my recollection.

Q. Did you offer any money to Dickson Vertz, Elijah O'Dell, or any other persons, to vote for any particular candidate or candidates?—A. No, sir.

Q. Did you receive any money from Dr. Bennett, W. W. Barclay, Nathan Arnold, or any other person or persons, during the campaign of 1878, to use for election purposes, or for any purpose connected with that campaign?—A. No, sir.

Q. Did you, some days before the election, agree with Elijah O'Dell, in the presence of Dickson Vertz, that if he would go to the election and vote for certain candidates that you would not charge him anything for pasturing his calf?—A. I was not charging him anything any way. Yes; that was the talk.

Q. What was said by you in that conversation, and what by O'Dell?—A. O'Dell wanted a little more for going to the election than his day's pay. I told him there was nothing in it for me to give him any more. He had left a calf at my place. He had no place to keep it at home. I had never thought of charging him anything for its keep anyhow. Then he said, if you don't charge me anything for that calf I will go; and I told him all right, I won't charge you anything.

And further saith not.

D. W. McCracken.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.17 to meet at 1.30 p. m.

MARCH 7—1.30 o'clock p. m.

JAMES SOMERVILLE sworn.

Question. Are you the collector of Burnside Township of the State and county taxes for 1875, 1876, 1877, and 1878?—Answer. Yes, sir.

Q. Did Dixon Vertz ever pay you any State and county taxes; and, if so, when?—A. Dixon Vertz paid me 21 cents State and county taxes for 1875 some time in 1876. I could not say what time in 1876.

Q. Can you remember if it was within two years of the election of November 5, 1878?—A. I cannot.

Q. What is your best recollection as to whether it was before that time or after?—A. I cannot say.

Q. What is your best recollection as to whether it was within two years of that election or before?—A. I could not say.

Q. Have you any recollection as to whether it was before or after the Presidential election of 1876?—A. I could not say. He just paid them to me, and I marked them on the book paid.

Q. What time in 1876 were those 1865 taxes mostly paid?—A. They were paid along in the summer. I settled the duplicate that winter.

Q. Is it not likely, then, that Vertz paid those taxes earlier than the 1st of November, 1876?—A. It is likely. I cannot say.

Q. State whether Vertz himself paid you any other State or county taxes at any time.—A. For the taxes of 1876 and 1877 I was down to Burnside, and Mr. Horace Patchin told me (that was in January, 1878) that he had got Mr. Vertz's raft at the island and sold it on time, and he said he would pay all Mr. Vertz's taxes. He made me count the taxes up. Then I went away and saw Mr. Vertz that evening. He said I should stay some place that night, and he would go down with me to see Patchin in the morning. Mr. Vertz and I went down, and Mr. Vertz went and talked to Mr. Patchin himself, and then Mr. Patchin came over to me and said I will pay all of Vertz's taxes. When Mr. Patchin told me, I was writing a receipt for Daniel Fulton's taxes.

Q. Did either Patchin or Vertz or any one else ever pay those taxes?—A. No, sir.

Q. Did you ever mark them paid?—A. No, sir.

Q. Did you ever agree to mark them paid?—A. No, sir; I did not mark anything paid till they were paid.

Q. Did you mark all the other taxes paid on your duplicate which were paid?—A. Yes, sir.

Q. Did you usually give a receipt?—A. No, sir; sometimes I did, sometimes I did not.

Q. Did you give a receipt for those taxes to Dixon Vertz?—A. No, sir.

Q. Did you ever consider these taxes paid by anybody to you?—A. No, sir; not to me. I supposed they were paid by Vertz to Patchin. I supposed this from what Mr. Patchin said about the raft.

Q. Was Vertz's vote challenged when he offered to vote on November 5, 1878?—A. Yes, sir.

Q. Did you state to the board that his taxes were paid, or did you simply make a statement of the arrangement between you and him as to Patchin paying his taxes which you have already related?—A. Yes, sir; I made the same statement I have made now. I did not tell them they were paid.

Cross-examined:

Q. What State and county taxes of Dixon Vertz's were covered by this arrangement?—A. His State and county, school, and poor tax for 1876 and 1877.

Q. Have you or not settled those duplicates and paid over the moneys into the county treasury including these taxes of Vertz or a part of them?—A. Yes, sir; the State and county of 1876 and 1877. I paid over and settled the duplicates, including his.

Q. What was the politics of the majority of the election board in Burnside Township?—A. One of the inspectors was a Republican, but at the election he was a Greenbacker. The other was a Democrat. The judge was a Republican out and out.

Q. State, if you can, the politics of Horace Patchin at that election.—A. I think he was a Hoyt man for governor. I don't know about the rest.

Q. From the time the arrangement about Vertz's taxes you have testified about to the day of the November election of 1878, how many times did you ask Dixon Vertz to pay you his State and county tax for the years 1876 and 1877?—A. I did not see Dixon Vertz after that till the day of the election.

Q. About what time in the year 1877 did you settle the duplicate of 1877, including Vertz's tax?—A. I settled the duplicate of 1877, including Vertz's, in January, 1878.

Q. Was it on the faith of this arrangement which you have given that you did not ask Vertz for his State and county tax and paid them into the county treasury yourself?—A. Yes, sir.

Re-examined:

Q. You do not think that Patchin's politics had anything to do with his failure to pay these taxes, do you?—A. No, sir.

And further saith not.

JAMES SOMERVILLE.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

WILLIAM SHEESLEY sworn.

Question. Did you vote in the election district of Bell Township at the general election of November 5, 1878?—Answer. No, sir; I did not vote at all at that election.

And further saith not.

WILLIAM SHEESLEY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

After signing his testimony witness is recalled and asked the following questions:

Questions. If you had voted at that election, what ticket would you have voted?—Answer. I would have voted Democratic, Curtin and all.

Q. Have you within two years preceding the election of November 5, 1878, paid a State or county tax?—A. No, sir.

Q. Was Bell Township election district the proper place for you to vote on November 5, 1878?—A. Yes, sir.

Cross-examined:

Q. Were you at the election?—A. No, sir.

And further saith not.

WILLIAM SHEESLEY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JACOB PENNINGTON sworn.

Question. Did you vote at the election district of Chest Township at the general election of November 5, 1878?—Answer. Yes, sir.

Q. Had you within two years preceding that election paid a State or county tax?—A. Yes, sir.

Q. At what time, to whom, and how did you pay that tax?—A. I paid it in June, 1878, to Austin Curry. He had a rafting-ground from me last winter and owed me \$5 for it, and about the 1st of June I asked him if he would let that go on my tax. He said yes; it would save him paying me the money.

Q. Did he give you a receipt or mark it paid on his duplicate?—A.

No, sir; he did not give me a receipt. I don't know whether he marked it paid on the duplicate or not.

Q. Was that the only tax you had paid, or arranged to pay, within two years preceding that election?—A. Yes, sir.

Q. For whom did you vote for Congress at that election?—A. Andrew G. Curtin.

Q. You reside at Chest Township, this county, do you, and what is your age?—A. I do reside there; my age is 47.

Cross-examined:

Q. Was Austin Curry, with whom you made this arrangement, collector of State and county taxes for Chest Township, at the time you speak of, about the 1st of June, 1878?—A. Yes, sir.

Q. Was it for taxes that were on his duplicate that this arrangement was made?—A. Yes, sir.

Q. Was your vote challenged?—A. No, sir.

Q. What year's tax was he collecting?—A. The year 1877.

And further saith not.

his
JACOB + PENNINGTON, JR.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

J. H. KELLEY sworn.

Question. Were you one of the clerks of the election in the district of New Washington Borough, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—Answer. I was.

Q. Who swore the voters as to their qualifications at that election?—A. I did.

Q. Were there any persons voted at that election whose names were not on the registry list?—A. I think there was; I am positive there was.

Q. What was required of such persons by the board?—A. We required them to bring a citizen who would vouch for their residence in the district for the legal time.

Q. Was that all that was required of them?—A. The oath of the voter, as well as the citizen's, was taken.

Q. Were those oaths administered by you as well as in the case of registry voters?—A. They were; I think no registered voters were questioned on oath.

Q. Were these oaths reduced to writing?—A. They were.

Q. Were the papers containing these oaths put in the ballot-box, or forwarded with the returns to Clearfield?—A. I do not know.

Q. Do you know Wm. Mehaffey, formerly a resident of New Washington Borough?—A. Yes, sir.

Q. Did he vote at that election of November 5, 1878?—A. Yes, sir.

Q. Do you know how he voted?—A. I am not certain, but I am almost positive.

Q. How did he vote, and before stating how he voted, state what reasons you have for believing he so voted?

(Object to the witness testifying to anything that partakes of the nature of hearsay, and require the witness to confine his testimony to

that which he knows by the ballot itself and not what any one else told him.)

A. The reason I have, in a small election district like ours we generally count noses and pretend to know nearly how every man votes, and we never had any difficulty in our own mind in placing his vote where I think it was put. He had always been a Democrat.

Q. From these circumstances can you tell how he voted?—A. According to the best of my knowledge and belief he voted for Curtin.

(Objected to as incompetent testimony, Wm. Mehaffey being a resident of the county and within reach of process, and notice having been served that he would be called himself; the testimony itself being conjecture.)

Q. State whether Wm. Mehaffey was a resident of New Washington election district on November 5, 1878, when he voted there.—A. He did not have his family there.

Q. How long before that election had he moved with his family out of that election district?—A. I can't state positively, but I think three or four weeks; it might have been longer.

Q. What did he take with him when he moved?—A. I don't know what all he took, but he took most of his household furniture and utensils.

Q. Had he or not been sold out by the sheriff when he moved?—A. I think he had; I am not certain when; I know he was sold out before the election; my opinion is he was sold out before he moved.

Q. To what election district did he move?—A. Bell Township.

Q. Had he any business in New Washington that he was carrying on after the time he moved?—A. He had not.

Q. What was the only business that he had or carried on after that date?—A. To my knowledge he had no business except in Bell Township.

Q. How far is it from New Washington to Bell Township where he moved?—A. About five miles and a half.

Cross-examined:

Q. What was your politics at the November election of 1878?—A. I voted the Republican State ticket.

Q. Was the election in the New Washington Borough district conducted honestly, fairly, legally and impartially to the best of your knowledge and understanding?—A. We thought so, with the exception of Wm. Mehaffey's vote. There were doubts among some about his vote; there was none about any of the others.

Q. How many persons voted in the district that were not registered?—A. Two, I think.

Q. Give their names, if you think you can?—A. T. D. Garnett and G. W. Koontzman were the men.

Q. What, as far as you know, was the politics of these two persons? (Objected to as incompetent if the objection made by the counsel who cross-examines to like questions have any force or effect in them.)

A. Mr. Garnett was a Republican and Mr. Kuntzman a Democrat.

Q. What has Wm. Mehaffey been doing in Bell Township since three or four weeks before the November election, or the time which you say he left New Washington?—A. He has been making square timber, and I think logging some.

Q. Do you know who for?—A. I don't know whether he is jobbing for more than one party or not, but I know he is working for James W. McGee and Frank Mehaffey.

Q. Is his contract finished and work done?—A. I don't think it is.

Q. Can you testify that Wm. Mehaffey went to Bell Township to make that his place of residence for any other purpose than while he was making timber and cutting logs as you have stated?—A. I cannot.

Q. Was he assessed and registered in New Washington Borough?—A. I think he was; I am pretty sure of it.

Q. Do you know where his family staid while in Bell Township?—A. I don't know who owns the property, but he lived at what is called the Fulmer place, near Chess Falls in Bell Township.

Re-examined :

Q. Where has Mehaffey resided since the election?—A. At the same place in Bell Township.

Q. He has resided there about five months, then, has he?—A. Yes, sir.

Q. What is the place of business of James W. McGee and Frank Mehaffey and the place to which Wm. Mehaffey would go for his supplies for them?—A. James McGee's place of business is Chest P. O., and Wm. Mehaffey's is Mehaffey P. O., in Bell Township. I don't know where he gets his supplies; he does not get any in New Washington that I know of.

Q. How long before he voted had Mr. Mehaffey been in the borough?—A. He came up that day, I think, to vote from Bell Township.

Recross-examined :

Q. Is this the man called (Smiley) Bill Mehaffey, or Wm. Mehaffey (Smiley)?—A. No, sir.

(Contestant by counsel reserves any legal exceptions he may have or it may appear that he has to want of proper notice as to Wm. Mehaffey.)

And further saith not.

JOS. H. KELLEY.

Attest :

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

H. L. HENDERSON sworn.

Question. What township do you reside in in Clearfield County?—Answer. Bell Township, Clearfield County, Pennsylvania.

Q. How long have you known Wm. Mehaffey, who moved from New Washington Borough into Bell Township?—A. About eighteen years.

Q. About what time did he move from New Washington Borough to Bell Township?—A. Less than sixty days before the election; he was not in time to vote in our township. I think about forty days.

Q. Did he try to vote at the election in Bell Township on November 5, 1878?—A. I think not.

Q. Has he resided in Bell Township ever since then?—A. Yes, sir.

Q. Where is his place of business and of getting supplies?—A. His place of business is the mouth of Laurel Run in Bell Township, and he gets his supplies from Frank and James Mehaffey, in said township.

Q. Has he had any business whatever in New Washington Borough since he moved from there into Bell Township?—A. Not to the best of my knowledge.

Q. How often does he go over there, so far as you know?—A. Well, very seldom; he has to pass my place; I have not seen him go often;

he might go without me seeing him; his business seems to be all in Bell Township.

And further saith not.

H. L. HENDERSON.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

Adjourned at 5.35 p. m. to meet at 1 o'clock p. m. March 11, 1879.

REUBEN WEIGHT sworn.

It is hereby agreed that this witness, Reuben Weight, and any other witnesses that may be called on this 11th day of March, A. D. 1879, and examined before the hour of 10 o'clock p. m., of whom notice has heretofore been given to counsel for contestant, shall be examined and their testimony taken with the same effect as if due and regular notice thereof had been given to contestant or his counsel as required by act of Congress.

J. F. SNYDER,
For Contestant.
THOS. H. MURRAY,
Counsel for Contestee.

Question. Where do you reside, and what is your age?—Answer. Graham Township, Clearfield County, Pennsylvania; my age is 42 years.

Q. Did you vote in the election district of Graham Township at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you paid a State or county tax within two years preceding the election of November 5, 1878?—A. I cannot be positive about that. I paid part of my taxes to William Hoover after the election. There was some taxes back, I don't know which, I did not take any receipts. I cannot be positive if I paid any State or county tax within that time.

Q. How much did you pay Hoover after the election?—A. I paid him ten dollars.

Q. How many years did that cover?—A. My taxes are about fifteen or sixteen dollars a year.

Q. How much was back when you paid him the ten dollars?—A. There was ten dollars back yet.

Q. That was after the election of November 5, 1878?—A. Yes, sir.

Q. State when you last remember of paying any State or county tax before the election of November 5, 1878?—A. I think I paid the last last fall two years ago to Peter Kepple; I won't be positive.

Q. What time last fall two years ago did you pay State or county tax to Kepple?—A. It was in the fore part of the spring; I had done some plowing for him, and he paid my taxes.

Q. You mean last spring two years ago, instead of last fall two years ago, then, do you not?—A. Yes, sir.

Q. Was not that in the spring of 1876; last spring being the spring of 1878; and was it not the centennial year?—A. I don't recollect any more; I cannot say positively.

Q. Well, you recollect that it was two years ago last spring, do you not?—A. Yes, sir; it was some time in the fore part of the summer.

Q. Was it not in the fore part of the summer before the Presidential election when Hayes and Tilden were candidates?—A. Indeed I could not say.

Q. That was the last State or county tax that you recollect of paying? (Objected to as leading.)

A. Yes, sir.

Q. State who Kepple was to pay the taxes to; what collector?—A. He was collecting taxes himself at that time.

Q. Was he collecting State and county taxes?—Yes, sir.

Cross-examined:

Q. Did you not pay other taxes than those you have mentioned within two years preceding November 5, 1878?—A. Yes, sir; I paid some taxes along, but I did not take any receipts.

Q. To whom did you pay these other taxes?—A. I paid some to an Evans (Josiah Evans).

Q. When did you pay the taxes to Josiah Evans?—A. This last summer a year ago.

Q. Did you take his receipt for the same?—A. No, sir.

Q. Was Josiah Evans constable of Graham Township at the time you paid these taxes?—A. Yes, sir.

Q. Was Josiah Evans, at the time you paid the taxes to him, collector of State and county taxes for Graham Township, Clearfield County, Pennsylvania?—A. I could not tell you that.

Q. Did you pay him all the taxes he had against you at that time?—A. No, sir; there was some back.

Q. How much did you pay him?—A. I think I paid him something like three dollars.

Q. If Josiah Evans was collector of State and county taxes when you paid him, do you not think that the tax you paid him might possibly be a State and county tax?

(Objected to as highly improper in form, as not being cross-examination, and because the witness has already sworn that he has no recollection of having paid any State or county tax since that which he paid to Kepple two years ago last spring.)

A. I could not say; it might be that, of course.

Q. Is it because you did not take a receipt from Josiah Evans for the taxes you paid him that you cannot say positively whether you have paid a State or county tax within two years preceding November 5, 1878?—A. Yes, sir.

Q. Was it in 1877 that you paid these taxes to Josiah Evans, collector and constable of Graham Township?

(Objected to because witness has already sworn that he has no knowledge of Evans being constable. Objection withdrawn.)

A. Yes, sir.

Q. If the taxes you paid Josiah Evans were State or county taxes were they paid within two years preceding the election of November 5, 1878, and were they assessed at least two months and paid at least one month before the election of November 5, 1878?—A. I cannot tell about the assessing. They were paid within two years, but I can't say whether they were State and county; they were paid more than one month before the election.

Q. Did you read your ticket before you voted it?—A. Yes, sir.

Q. Was your vote challenged?—A. No, sir.
And further saith not.

REUBEN ^{his} + WEIGHT.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED O'L. BUCK,
Amanuensis.

JAMES MOYER sworn.

Question. Where do you reside and what is your age?—Answer. I live in Graham Township, Clearfield County, Pennsylvania; my age is forty-three years last November.

Q. Did you vote in the election district of Graham Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you paid any State or county tax within two years preceding that election of November 5, 1878?—A. Yes, sir.

Q. To whom had you paid those taxes?—A. William Hoover.

Q. When did you pay William Hoover any State or county taxes within two years preceding that election?—A. I pay my taxes every year. I could not tell the time—the day—you know.

Q. I don't want the day or even the month, but do want you to say, as nearly as you can, when you paid William Hoover any State or county taxes within two years preceding that election?—A. I paid him my taxes last summer.

Q. What time last summer did you pay those taxes?—A. In the spring like.

Q. What other time did you pay him any State or county tax within two years preceding that election?—A. The year before.

Q. What time of the year before, as near as you can tell?—A. We generally pay our taxes in the spring after rafting.

Q. Was that the only State or county taxes that you paid him within two years that you can remember?—A. I paid my taxes all the time since I was twenty-one.

Q. Do you remember paying any other State or county tax within two years preceding the election of November 5, 1878, except that which you have sworn to as having been paid last spring, 1878, and the spring before, 1877?—A. No, sir; I can't tell just when or to whom I paid it.

Q. Have you any recollection of paying any other State or county tax within two years preceding that election?—A. I paid all my taxes along. No, sir; I have not paid any others.

Q. Then I understand you to say that you have no recollection of having paid any other State or county tax during the two years preceding the election of November 5, 1878, except what you paid to Hoover in the spring of 1877, and what you paid to him in the spring of 1878.—A. That is all I paid during that time.

Q. When you speak of William Hoover, do you mean William W. Hoover, the collector?—A. Yes, sir; I do.

Q. Is he constable, and how long has he been so?—A. He has been constable for two years.

Cross-examined:

Q. Was your vote challenged at the election of November 5, 1878.—A. No, sir; never in my life.

Q. You believe, then, do you, that you have paid a State or county tax within two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Re-examined:

Q. Have you receipts for the two payments of taxes to which you refer?—A. I have them at home.

Q. Can you swear positively, without seeing those receipts, what different kinds of taxes were included in them, or whether they included State or county tax or not?—A. Well, I paid all my tax—State, county, poor, and school tax.

Q. Did they include road tax?—A. Yes, sir.
And further saith not.

his
JAMES + MOYER.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH.
Notary.
FRED O'L. BUCK,
Amanuensis.

O. L. SCHOONOVER sworn.

Question. Did you vote for Andrew G. Curtin for Congress, and were you an active supporter of his in the election district of Morris Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—Answer. Yes, sir.

Q. Did you receive any money during the campaign of 1878 to be used for election purposes in Morris Township?—A. I received some money for the purpose of getting out the vote—I think \$10—with the instruction to do the best I could to get all the voters out.

Q. Did you or not pay any taxes on the election day of November 5, 1878, or within thirty days of that time; and, if so, to whom and for what voters?—A. I did not pay any taxes within thirty days that I know of. I paid some taxes for men that were working for me, but that was all, and these were paid more than thirty days before the election.

Q. Who were those men?—A. For the last two or three years I have paid taxes for some of the men working for me, and I always charge them with it. I paid Charles Levi's two years, James Fleck one year, Joseph Rothrock, jr., and Joseph Rothrock, sr.; the Rothrocks were not working for me, but I owed them for feed and they asked me to pay them for them. I think I paid Cornelius Devinney's tax, but I am not positive.

Q. Did you, within thirty days of that election, receive any tax receipts from Hollenback, the collector, for any taxes or for any voters in that district?—A. No, sir; I think I did not.

Q. Did you have the collector's duplicate a few days before the election of November 5, 1878; and, if so, for what purpose?—A. I did not have his duplicate, but I looked it over with him for the purpose of seeing whether the taxes of a few men were paid.

Q. Did you not examine it for the purpose of paying any that might not be paid?—A. No, sir; my view was for what I have stated.

Q. Have you seen the ballot-box since the election?—A. No, sir; I have heard of it, but never seen it.

Q. Have you any knowledge, either direct or indirect, of either it or any of its contents having been seen or examined, or been in the custody

of any one since the election, except the judge of election and the nearest justice of the peace?

(Objected to for the reason that anything relating to the custody of the ballot-box in Morris Township, Clearfield County, Pennsylvania, after the votes were counted on November 5, 1878, of the general election held on that day, is immaterial and irrelevant because no recount of the votes cast at the election of November 5, 1878, in said township of Morris, has been ordered.)

A. All the knowledge I have I received from others; some one told me, I think it was Peter Moyer, that Mr. Murray had ordered the ballot-box moved to Squire Raymond's, although that is not the nearest justice of the peace; and I think he told me that one of the inspectors had taken it down there.

Q. Whose custody was it in at the time you got that information?—

A. I never knew where it was. I asked Peter Moyer whether it was left with him, and he said it was. I think Peter Moyer said, "I suppose they wanted to go through it."

(Object to this part of the answer of witness as to the declarations of Moyer, for the reason it is not an answer to the question, but a voluntary statement of the witness of the alleged declarations of a partisan supporter of contestant.)

A. Peter Moyer seemed to be under the impression he was the proper person to keep the ballot-box, and I told him I thought the proper person was the nearest justice of the peace. Moyer said he supposed the reason they sent it down to Raymond's was that they could, by giving Raymond a little whisky, get to see into it whenever they wanted.

(Objected to because it is a voluntary statement of the witness, who admits he was an active supporter of contestant, of the alleged declarations of another active supporter of contestant, and not in any sense an answer to the question which has been put to this sworn witness. This objection made by counsel for contestee.)

Q. Do you know who had charge of the ballot-box from the time of the election until it was ordered into the hands of a justice of the peace?

(Objected to for the reason that it is immaterial in whose custody the ballot-box was after the ballots that were cast in Morris Township and counted at the election on the 5th of November, 1878, since no recount of such vote of the votes cast on November 5, 1878, had been ordered.)

A. I only know what Peter Moyer told me, that it had been left with him.

Q. Was he a justice of the peace?—A. No, sir.

Q. What were his politics?—A. He was a Democrat.

Q. Did you not state to him that he was not entitled to the custody of the ballot-box, or something to that effect?—A. I did something to that effect; I told him I thought it ought to be left with the nearest justice of the peace.

Cross-examined :

Q. Was Peter Moyer, in whose custody the ballot-box in question was placed, the judge of the election of Morris Township, Clearfield County, Pennsylvania, of November 5, 1878?—A. He was.

Q. Were you indebted to the men for whom you have testified you paid taxes last fall at the time you paid them, and were the men charged with the amounts you paid for them?—A. To the best of my knowledge, I believe I owed them all.

Q. These taxes were paid upon their request, were they—that is, upon the request of the person for whom they were paid?—A. Yes, sir.

Q. Who was the nearest justice of the peace to the election house in Morris Township, Clearfield County, Pennsylvania?—A. Clark Crowell.

Q. How far from said election house did 'Squire Raymond live on November 5, 1878?—A. About six miles, I think they call it.

Re-examined:

Q. Where did Crowell live?—A. In Morrisdale Mines.

Q. What is the distance from the place where the election was held to the Morrisdale Mines?—A. About five miles and a quarter or five and a half.

Q. Do you state upon oath that it is not over five and a half miles from the place where the election was held to Morrisdale Mines?—A. I do, to the best of my knowledge, but I never measured it.

Q. Does Crowell live at that part of Morrisdale Mines settlement or town nearest to or farthest from the place where the election was held?—A. At that time he lived in the half of Morrisdale nearest to the election-polls.

Q. How far from the nearest houses from Kylertown at the election time?—A. At that time I think he lived where I stated; at the end nearest Kylertown. I don't know exactly when he moved.

Q. Do you state upon oath that A. W. Raymond, justice of the peace, lived at that time as much as six miles from the place where the election was held?—A. I consider it six miles; it is called six miles. I never measured it.

And further saith not.

O. L. SCHOONOVER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN RUPELEY sworn.

Question. Where do you live?—Answer. Isaiah Hoover, Morris Township, Clearfield County, Pennsylvania.

Q. Did or did you not move into Morris Township to work about ten days before the election of November 5, 1878?—A. Yes, sir.

Q. When you say you moved into Morris Township do you not mean that you moved from Morris Township into Graham Township about ten days before the election of November 5, 1878?—A. Yes, sir.

Q. Does not Isaiah Hoover live in Graham Township?—A. Yes, sir.

Q. Then when you said Isaiah Hoover lived in Morris Township you meant to say, did you not, that he lived in Graham Township?—A. Yes, sir.

Q. Did you vote at the general election of November 5, 1878, in Morris Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Then you moved out of Morris Township into Graham Township about ten days before November 5, 1878, and then came back into Morris Township and voted on November 5, 1878?—A. Yes, sir.

Q. What township did you live in before you went to Isaiah Hoover's?—A. Morris Township.

Q. What township does Isaiah Hoover live in?—A. Graham Township.

Q. How long had you lived in Morris Township before you moved to Graham Township?—A. About sixteen years.

Q. How long was it before the election that you moved from Morris Township into Graham Township?—A. About ten days.

Q. Have you been living at Isaiah Hoover's ever since the election?—A. Yes, sir.

Q. How long do you expect to live there?—A. I don't know.

Q. Do you expect to stay there for some time yet?—A. I don't know.

Q. Who gave you your ticket on the day of the election which you voted?—A. Peter Huffman.

Q. Who did Peter Huffman tell you he wanted you to vote for?

(Objected to because it is a leading and improper question, for by the question it is assumed that Peter Huffman told the witness he wanted him to vote for some particular candidate, of which no evidence has been produced to show that such was the case.)

A. Andy Curtin.

Q. Did he say he would give you anything or would do anything for you if you would vote for Andy Curtin?—A. No, sir.

Q. How old are you?—A. Twenty-one on last July.

Cross-examined:

Q. Did you vote on age at the election of November 5, 1878?—A. Yes, sir.

Q. Where does your father live?—A. In Morris Township, Cooper settlement.

Q. Did you not make your home with your father, in Morris Township?—A. Yes, sir.

Q. Where was your home from the 9th day of July, 1878, when you were 21 years old, until after the election of November 5, 1878?

(This question is objected to for the reason that it is unfair to the witness in that it is calculated to confuse him as to dates, he having already sworn that his home was with his father up till ten days before the election of November 5, 1878, and that he then moved to Isaiah Hoover's, in Graham Township where he has since lived.)

A. In Morris Township.

Q. Do you consider your father's house in Morris Township your home to-day?—A. Yes, sir.

Q. Are you working for Hoover by the month or by the day?—A. By the month.

Q. When you quit working for Hoover, where do you intend to go to as your home?—A. I don't know; in the Township with pap.

Q. Do you mean that you intend to return to your father's house in Morris Township?—A. No, sir.

Q. Are you going back to your father's house in Morris Township when you leave Hoover's?—A. No, sir.

Q. What do you mean when you say you were going in the township with pap?—A. Graham Township.

Q. Where is your pap?—A. In Morris Township sick.

Q. Did he read your ticket?—A. No, sir.

Q. Then you did not see Andy Curtin's name on it, did you?—A. No, sir.

Q. Can you read?—A. No, sir.

Q. Then you are not certain that you did vote for Curtin, are you?—A. Yes, sir.

Q. How do you know you voted for Curtin?—A. Somebody told me.

Q. Where do you get your washing done?—A. At Hoover's.

Q. Did you vote at any other place on November 5, 1878, than in Morris Township?—A. No, sir.

Re-examined:

Q. Have not you made your home at Isaiah Hoover's in Graham Township since you moved there ten days before the election?—A. Yes, sir.

Q. Have you not had your washing done at Isaiah Hoover's?—A. Yes, sir.

Q. Did you vote the ticket that Peter Huffman gave you?—A. Yes, sir.

Q. Was it not Peter Huffman who told you that you voted for Curtin, or was it not?—A. Somebody told me.

Q. Was it or was it not Huffman?—A. No, sir; somebody else.

Q. When Huffman gave you the ticket which you voted, did he not tell you to vote for Curtin?—A. No, sir; he did not say anything.

Q. When was it that he told you to vote for Curtin?—A. Last fall.

Q. How long was it before he gave you the ticket?—A. About three months or so.

Q. Who went with you, after Peter Huffman gave you the ticket, to the window to vote?—A. Peter Huffman himself went up to the window.

And further saith not.

JOHN ^{his} + RUPELEY, JR.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

KATE SANCROFT sworn.

Question. Where do you reside?—Answer. Kylertown, Morris Township, Clearfield County, Pennsylvania.

Q. Do you know anything about your brother, Jacob Sancroft, offering anything or giving anything to George Hart, jr., for voting for Andrew G. Curtin or for voting the Democratic ticket at the election in Morris Township on November 5, 1878?

(Objected to for the reason that Jacob Sancroft is a competent witness and his testimony can be had, and the testimony of the witness is therefore hearsay; and for the further reason that in his answer to notice of contest served upon him by A. G. Curtin that his right to a seat in the Forty-sixth Congress of the United States would be contested, the contestee, Seth H. Yocum, did not charge or allege that any purchased votes had been cast for contestant in Morris Township, Clearfield County, Pennsylvania; the question is therefore immaterial and irrelevant.)

A. No, sir.

Q. Did you say to any one that you knew anything on that subject?—A. No, sir.

Q. Do you live in Kylertown?—A. I do, sir.

Q. Was a ballot-box brought to your house or to the house where you live by any person at any time since the election of November 5, 1878?—A. No, sir.

Q. Did you say to any one that you knew anything about a ballot-box having been brought there or examined by any one?—A. No, sir.

Q. Did you not say to Wm. L. Merrell, or any one else, that some persons had had the ballot-box at your place and had examined it there, and that no one would have known anything about it if it had not been

for that big-mouthed Jim Stewart?—A. Part of that he said; whenever he saw me on the street he would say you will have to go to Clearfield. I said I was satisfied to go; if the ballot-box was there I was satisfied to go; it was all in a joke. Every time he saw me on the street he said something about the ballot-box. "How is the ballot-box?" he said. I told him it was all right. Then he said, "Now, my lady, you know all about it," and I says, "Murder will out."

Q. Did you or did you not mention Stewart's name?—A. I did not.

Q. Do you mean to swear, then, that you did not say to Merrell that the ballot-box had been at your house or had been examined there by any one?—A. I do swear it was never there, and I never said any thing to Merrell about the ballot-box being there.

Q. Do you mean to swear that you have no knowledge in any way, direct or indirect, of the ballot-box being there or examined by any one?—A. It was never in our house, and it was never examined in our house.

Q. Did you ever hear O. L. Schoonover, J. L. Stewart, Adam Moyer, Peter Moyer, Hollenback the collector, or either of them or any one else say that they had examined the ballot-box or knew of it being examined?—A. No, sir.

Q. Did O. L. Schoonover say anything to you about your testimony, or what your testimony would be at this hearing?—A. No, sir.

And further saith not.

KATE E. SANCROFT.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 6.30 p. m. to meet at 8 o'clock a. m., March 12, 1879.

MARCH 12, 1879—8 o'clock a. m.

A. G. SHOPE sworn.

Question. What township do you reside in?—Answer. Girard Township, Clearfield County, Pennsylvania.

Q. State if you are one of the inspectors of the election held in the election district of Girard Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878.—A. I was.

Q. State whether there was a copy of the registry list before the board on that day.—A. There was.

Q. Which one of either of the inspectors had charge of that registry list?—A. I had.

Q. Did you or not check off the persons' names as they voted?—A. Yes, sir.

Q. Were the ballots or tickets numbered?—A. Yes, sir; they were all numbered.

Q. When a person's name was not on the registry what was required of them?—A. They were sworn.

Q. Was he or was he not required to sign and swear to a written or partly written and partly printed affidavit?—A. He was.

Q. If he was over twenty-two years of age was he or was he not required to produce another person to make oath with him as to his residence within the district?—A. There was none of that kind came before the board.

Q. State if the board had a copy of the election law before them.—
A. They had.

Q. Was or was not that election conducted fairly, honestly, and in accordance with the law, in so far as you know?—A. To the best of my knowledge it was.

Q. Do you think that any member of the board desired or intended to do anything else than his duty as a sworn officer, in accordance with the election law as he understood the law and that duty?

(Objected to for the reason that the witness is incompetent to judge what the desires or intentions of the other members of the board were, the other members of the board being competent witnesses and the best evidence; and for the further reason that it is assumed by the question that witness has testified that the board was sworn, whilst he has not so testified; the question is therefore an improper one.)

A. I think not.

Q. Was there a minority inspector?—A. There was not.

Cross-examined:

Q. Were the judge, the two inspectors, and the two clerks of the election board of Girard Township present when the board was organized?—

A. They were.

Q. Were or were not the members of said board sworn by George W. Stever, justice of the peace, and by no one else?—A. They were.

Q. Did you read the copy of the election law which you had at said election?—A. No, sir; I did not.

Q. Was it read by any member of the board?—A. Yes, sir; it was read by the justice, G. W. Stever.

Q. What did you do with the registry list which was in your hands when a person voted; that is, what marks did you put upon it?—A. I did not put any marks on it.

Q. When a person offered to vote whose name was not on the registry, just state all you required him to do.—A. He was to be sworn.

Q. Did any naturalized citizens vote at said election in Girard Township?—A. There was.

Q. What time were the polls opened on the morning of November 5, 1878?—A. About seven o'clock.

Q. Were the doors of the election-house open, and had outsiders access to the room in which the election was held?—A. They had, just as usual, the doors were always open.

Q. Were not a great number of persons in the room in which the ballot-boxes were during the entire day and evening, and until the vote was counted?—A. Well, there were, there had to be; it was all in one room. There were not so many when the vote was counted.

Q. Were there not outsiders in the room when the vote was counted?—
A. Yes, sir; some.

Q. Then you say, do you not, that the door of the room in which the ballot-boxes were placed at said election was open, and persons not members of the election-board could come in and go out at their pleasure?—A. They did as usual.

Q. How did you vote—what ticket—I mean?—A. The Greenback ticket, for Yocum.

Re-examined:

Q. When you say the door was open and persons were in as usual, do you mean that the door stood open, or was unlocked, simply?—A. I mean it was unlocked; it did not stand open.

Q. When you speak of "as usual" do you mean as in other elections at that place?—A. Yes, sir.

Q. Were there many persons in the room at one time during the day?—A. Well, not a great many.

Q. Were these persons near the stove to warm themselves, or were they near the ballot-box and so as to interfere with the officers in discharging their duties?—A. If out of place the constable took care of them.

Q. Did any one interfere with the officers or with the ballot-box in any way?—A. No, sir.

Q. When a person voted whose name was on the registry list did you or not put a dot or mark of some kind opposite his name on the registry list to show that he voted?—A. His name was taken and his vote was numbered, and that was sufficient.

Q. Were you and the other inspector who acted at that election elected as inspectors at the preceding township election by a tie vote; that is, did you each receive the same number of votes?—A. Yes, sir; each received the same number.

Recross-examined:

Q. Were you a candidate for the office of inspector of election in Girard Township on the Democratic or Republican ticket at the township election of 1878 held in February of last year?—A. I was the Republican candidate.

Q. Then you were elected as the Republican inspector, were you?—A. I was.

Q. Was not the Republican party at the time you were elected inspector the minority party in Girard Township?—A. Yes, sir; the Republicans were in the minority.

Re-examined:

Q. Was not the other inspector who was elected with you and the judge both Democrats?—A. Yes, sir; they were.

Q. Then you were the only Republican officer of that board which held that election on November 5, 1878?—A. Yes, sir.

Recross-examined:

Q. Was one of the clerks a Republican?—A. Yes, sir.
And further saith not.

A. G. SHOPE.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

THOMAS BEERS sworn.

Question. Did you pay a State or county tax within two years preceding the election of November 5, 1878?—A. I did, sir.

Q. Who to?—A. Jacob Dimeling.

Q. Where was Jacob Dimeling when you paid him?—A. At Philipsburg.

Q. Did you pay him in money?—A. I gave him a check on the bank for the money.

Q. Do you know whether that check was paid?—A. I never saw it paid, but I know it is paid.

Q. When did you give him that check?—A. The 7th of June, 1878.

Q. When did you get your receipt?—A. I did not get a receipt till last Monday a week. I did not think it necessary. I supposed the check would be receipt enough.

Q. You did not get this receipt, then, until about the time you were subpoenaed to come to this hearing?—A. No, sir; a few days before; I had heard there was a subpoena for me before I got the receipt.

Q. Did you see Dimeling write the receipt?—A. I believe I did.

Q. When did he write it?—A. He wrote it last Monday a week and he dated it back to the day I paid the taxes, which was the 7th of June, 1878.

Q. How did Dimeling fix the date when you had paid the tax?—A. I think he had it marked down. I kept a memorandum of the day myself, and I told him.

Q. When was that check paid, as near as you can tell?—A. It was handed in the same day I gave it.

Q. When was it paid?—A. It was not my own. It was a check of Christ Munson's. I can't tell when it was paid. I suppose it was paid more than thirty days before the election.

Q. What was the amount of the check?—A. As near as I can recollect, it was \$56.88.

Q. What was the amount of the taxes?—A. Eight dollars.

Q. What are Dimeling's politics?

(Objected to as immaterial.)

A. He is a Democrat, I believe.

Q. Did you vote in the election district of Boggs Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Cross-examined :

Q. Have you paid a State or county tax within two years preceding the general election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. I have, twice.

Q. At what other time than the one mentioned and to whom else did you pay a State or county tax?—A. I don't remember what time, but it was to Jacob Dimeling I paid it.

Q. Did you pay the other taxes you mentioned to Jacob Dimeling within two years, and more than one month before the election of November 5, 1878?—A. I did.

Q. Was it in 1877 or 1878 you paid this other State or county tax to Jacob Dimeling?—A. I don't remember.

Q. Was Jacob Dimeling collector of State and county taxes for Boggs Township at the times when you paid him the State or county taxes you have just testified you paid him?—A. Yes, sir.

Q. Did you receive a receipt from him for the State and county taxes paid him on June 7, 1878; and, if so, will you read it?—A. Yes, sir.

[Witness hands receipt to notary, which reads as follows:]

“BOGGS, *Jun. the 7th*, 1878.

“Received of Thomas Beers eight dollars and three cents, being his county tax for the year eighteen seventy-five.

“JACOB DIMELING, *Col.*”

Q. Have you been a citizen of the United States for at least one month before November 5, 1878, and have you resided in the State of

Pennsylvania for more than one year preceding November 5, 1878, and have you resided in the election district of Boggs Township, Clearfield County, in which you voted at the election of November 5, 1878, for more than two months immediately preceding said election?—A. I have. I was born on the place I live on, and have lived there sixty years.

And further saith not.

THOMAS BEERS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Agreement.

It is hereby agreed, this 12th of March, 1879, that the objection to the witness called as Joseph Radiker, and whose testimony shows his correct name is Joseph Redinger, be withdrawn, and the testimony stand with the same effect as if the notice served on contestant had given his correct name.

D. L. KREBS,
Of Counsel.

JACOB HUFFMAN affirmed.

Question. Are you the collector of Huston Township, Clearfield County, Pennsylvania?—Answer. For 1877 I was.

Q. You mean you was the collector of State and county taxes for the year 1877?—A. Yes, sir; also school and poor.

Q. How long were you collecting—that is, when did you get the duplicate for State and county taxes, and when did you quit collecting those taxes, or have you quit yet?—A. I got it in 1877; I think about the latter part of June or the early part of July of that year.

Q. Have you quit collecting yet?—A. I have settled up with the commissioners for my duplicate, and I hold the parties that had not paid their taxes which I paid in for them.

Q. So you are still collecting?—A. Yes, sir.

Q. Is there any other man by the name of Huffman who is collector, or has been collector, of Huston Township except yourself that you know of?—A. No, sir.

Q. Did you know a man named Elliott McCracken, who formerly lived in Huston Township, and now lives in Sandy or Brady Township, this county?—A. Yes, sir.

Q. State whether he ever paid you any State or county tax.—A. No, sir.

Q. Did he ever pay you any other kind of taxes?—A. No, sir.

Q. Did you ever meet him between Newel's place and Burns's place, in Huston Township, along the road, and have a conversation with him in reference to taxes?—A. Yes, sir; I can't say it was between Newel's and Burns's. I met him between David Burkey's and Andy Guthrie's places.

Q. Would it or would it not be between Newel's and Burns's also?—A. No, sir.

Q. When was it that you met him as stated?—A. That is more than I can tell; it was in 1877.

Q. About what time of year?—A. Along in the fall.

Q. How did you come to meet him and what was the conversation?—

A. I was out serving some papers and collecting taxes, and I turned in by Washburn's and went through by David Burkey's on the ridge road. I met him making shingles for Mr. Lucien Bird. I told him that I thought I had some tax against him. I looked over my duplicate and seen his name was not on; therefore I did not get any.

Q. Was he or had he been charged with any crime?

(Objected to because it is immaterial and irrelevant and can have no bearing whatever on the cause in which the testimony is now being heard; and it is further objected to for the reason that unless Elliott McCracken has been duly convicted of any crime the presumption of the law is that he is innocent of any charges that may have been made against him; and for the further reason that if he has been convicted of any crime the records are the best evidence of his conviction; and it is wholly immaterial whether any charges were made against him or not, and such charges, if made, are irrelevant in the contested-election case in which testimony is now being taken.)

A. I don't know what you would call it. Mr. Lucien Bird had a warrant out against him for making shingles on Reading and Fisher's land, and when I went out of office I returned this warrant with the rest of my papers to George C. Ricker, constable of Huston Township now, and how they fixed it I cannot tell, but he never was arrested for it.

Q. State if you had any conversation with him in reference to his son's taxes.—A. I can't tell whether I had or not. I had William McCracken, one of his sons, on one of my school duplicates for 15 cents.

Q. Is it paid or not?—A. I don't think it is.

Q. Did you know a man of the name of C. H. Farner, who worked at Winterburn's, in Huston Township?—A. Not to my knowledge; his name seems familiar to me, too.

Q. Did any man of that name ever pay you any State or county taxes?—A. No, sir; not that I know of.

Q. Did any one ever pay taxes for such a man?—A. No, sir.

Q. Have you your duplicate of State and county taxes with you, including all the names of persons against whom you held or from whom you collected any State or county taxes?—A. Yes, sir.

Q. Is the name of either Elliott McCracken or C. H. Farner on any of such duplicates?—A. No, sir.

Cross-examined :

Q. Was the place you met Elliott McCracken in Huston Township in the fall of 1877, on a road or path that would lead to either Newel's or Burns's in Huston Township?—A. Yes, sir; a man could cross-cut through any place there into Newel's or Burns's, but it was not on the direct road to Newel's.

Q. Do you swear that Elliott McCracken did not pay you a State or county tax at the time you met him in 1877?—A. Yes, sir.

Q. Did you have any other State or county taxes for collection than those for 1877?—A. No, sir.

Q. Did you ever hear that he had paid a State or county tax to Sylvester Hunt, collector of Huston Township?

(Objected to as not cross-examination, and also because the declarations of Hunt would not be evidence—not the declarations of any other third party.)

A. Yes, sir; I heard Mr. Hunt say that Johnny Young told him—that is, Hunt—that Mr. McCracken had paid him his State and county

taxes in the corn-field, about corn-hoeing time; the taxes were for the year 1876.

And further saith not.

JACOB HUFFMAN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.35 p. m. to meet at half-past 1 o'clock p. m. same day.

J. W. HOLLENBACK sworn.

Question. Are you collector of Morris Township, Clearfield County, Pennsylvania?—Answer. I am, sir.

Q. State what time you paid over the taxes on your duplicate to the county treasury.—A. I think it was on the 23d September, 1878.

Q. Did you pay the taxes of James Thompson, of Morris Township, over along with the other taxes?—A. I did, sir.

Q. What taxes were they—assessed for what year?—A. Assessed for 1877.

Q. Did you state to anyone that there were five or six Democratic voters who had not paid their taxes in legal time to vote at the election of November 5, 1878?—A. I stated to Mr. Krebs that there were four or five Democratic voters who had not paid their taxes to me in time.

Q. Will you give us their names?—A. James Thompson, D. F. Kyler, T. C. Kyler, John Keen, and Jacob Raymond.

Q. Are these the only persons that you know of?—A. They are.

Q. Do you know of their having paid taxes to any one else?—A. I do not.

Q. Did you not say to someone else that there were five or six Democratic voters, such as you named?—A. I believe I did say so to someone else, that there were four or five or six such.

Q. Can you name any more now than you have named?—A. I cannot.

Q. When you paid over those State and county taxes for the year 1877, on or about the 23d of September, 1878, as you have stated, did you mark on your duplicate the taxes paid for each man whose taxes you thus paid over to the county treasurer?—A. Yes, sir; I marked them paid right opposite their names.

Cross-examined:

Q. When you say you marked each man's taxes paid on the duplicate, do you not mean that when each man paid you his taxes you marked them paid on the duplicate?—A. When I marked them paid on the duplicate I considered them paid by me to the county treasurer until they paid me. "*I considered it paid.*"

(This latter part of the answer is put down upon the decision of the notary, and was not heard by the amanuensis. This refers to the part of the answer underlined.)

Q. How were the taxes of James Thompson, of Morris Township, paid to you; were they or were they not paid you by an order on your father?—A. They were not paid to me at all, yet.

Q. Then I understand you to say that the State and county taxes against James Thompson for 1877 are still unpaid?—A. They are still unpaid to me.

Q. You were not requested, were you, to pay the taxes of James Thompson for him, and they were not, were they, paid to the county treasurer upon any such request?

(Objected to as highly improper in form, in that it is designed to suggest to the mind of the witness the answer desired by counsel for contestant.)

A. The taxes were never paid to me by James Thompson. I paid the taxes to the treasurer out of my own pocket when I settled up the duplicate. The treasurer called on me to come and settle.

Q. Then when you paid the taxes of James Thompson to the county treasurer in your settlement with him they were paid, were they not, in the balance found to be due from you as collector of State and county taxes for Morris Township, Clearfield County, Pennsylvania, to the county treasurer?

(Objected to as improper in form, in that it is so framed as to suggest to the mind of the witness the particular answer desired by counsel for contestant.)

A. I have had no settlement with James Thompson. They were paid then.

Q. When you paid the taxes of James Thompson to the county treasurer, did you pay them to said treasurer as part of the balance found due from you as collector of State and county taxes for Morris Township, Clearfield County, Pennsylvania, to the county treasurer, did you not?

(Objected to for the same reason as before, and also for the reason has already sworn distinctly and positively that he did on or about September 23, 1878, pay over to the county treasurer the taxes of James Thompson.)

A. Yes, sir.

Q. Why did you pay the taxes of James Thompson to the county treasurer?—A. Because when they notified me to come and settle, I thought, of course, it had to be done, and I had spoken to Mr. Thompson about his tax, and he said he could not just pay it then. So I thought I would pay it for him, knowing, of course, or thought, that he would pay them back to me.

Q. Has James Thompson ever paid the State and county taxes you paid for him back to you, or do you still hold him for said taxes?—A. He has not, and I still hold him for them.

Re-examined :

Q. These were State and county taxes, were they not?—A. They were.

Q. Did you on the 23d of September, 1878, pay over the State and county taxes for the year 1877 for all the taxables in Morris Township, or for only a portion of them?—A. I paid the whole balance that was against me on that day; I paid my duplicate off entirely.

Q. What are your politics?—A. Democratic, sir.

Q. Do you remember of the day of election of November 5, 1878, or at any other time, saying to James Thompson, "Jimmy, if I had known that you had gone back on us, and had not voted for Curtin, I would not have paid your tax," or words to that effect?—A. I believe I did say something of that kind. I was fooled in the man; I thought he was a Democrat, but I was mistaken.

Q. Did you or did you not give to C. C. Crowell, justice of the peace, any tax receipts within thirty days of the election, or on the day of the election?—A. I did not, sir.

Recross-examined:
And further saith not.

J. H. HOLLENBACK.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

E. C. BRENNER sworn.

(Counsel for contestant objects and protests to the examination of the witness now sworn, for the reason that contestant or his counsel has not had such notice of the taking of his testimony as is required by the act of Congress regulating proceedings wherein the right to seats in the Congress of the United States are contested.)

Question. Did you notify Thomas H. Murray, counsel for contestee, that the ballot-box for the election district of Morris Township was not in the hands of the nearest justice of the peace after the election of November 5, 1878, and what reply did he make?

(Objected to because it is immaterial and irrelevant.)

Answer. Yes, sir, I did; and he wrote me to have the nearest justice of the peace to take charge of the ballot-box.

Q. Have you that letter here or at home; and did you know that you would be called as a witness until after you came here, and after O. L. Schoonover was sworn as a witness in this case?—A. I have that letter at home; but I did not know I would be called as a witness until after Schoonover was sworn, and after I came here.

Q. Did that letter say anything about any particular justice of the peace?

(Objected to for the reason that the witness has the letter from Thomas Murray in his possession, and the letter would therefore be the best evidence of its contents, and can be had.)

A. It did not.

Q. Which is the nearest justice to the election house, A. W. Raymond or C. C. Crowell?—A. A. W. Raymond.

Q. How far does each live from the election house?—A. A. W. Raymond lives about $5\frac{1}{4}$ miles, Crowell lives about $5\frac{1}{2}$ miles, from the election house.

Q. How long have you known the roads from both points from having lived there, and do you live in Kylertown where the election was held?—A. For twenty-five years; I have lived there at Kylertown for fourteen years.

Cross-examined:

Q. Who was the nearest justice of the peace at the time you informed Mr. Murray about the custody of the ballot-box?—A. A. W. Raymond.

Q. Are you positive that A. W. Raymond is the justice of the peace living nearest the place where the election was held in Morris Township?—A. I am, from the distances I know of from the roads being measured.

Q. Is it not called 6 miles to where Raymond lives?—A. I never heard it called so.

Q. Is it not called $5\frac{1}{4}$ miles to Morrisdale Mines, where Crowell lives?—A. I never heard it called that.

Re-examined:

Q. Have you been postmaster at Kylertownⁿ for a great number of years, and as such have you reported to the department the distances as stated?—A. Yes, sir; I have been postmaster for fourteen years; I have reported the distance to Morrisdale Mines, and to Grain Lick, a quarter of a mile from Raymond's.

Recross-examined:

Q. Who took the ballot-box to A. W. Raymond's?—A. I can't swear, only that Raymond told me that he did.

Q. Did you tell Raymond to go and get it?—A. I did write and tell him, both.

And further saith not.

E. C. BRENNER.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.

FRED'K O'L. BUCK, *Amanuensis*.

WILLIAM MCCARTNEY THOMPSON sworn:

Question. Where do you live, and what is your age?—Answer. I live in Girard Township, Clearfield County, Pennsylvania, and am forty-two.

Q. Did you vote in the election district of Girard Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you yourself paid a State or county tax within two years preceding that election?—A. No, sir.

Q. State whether you can swear from your own knowledge that any State or county tax was paid for you within two years preceding that election.—A. Yes, sir.

Q. Can you swear from your own knowledge, apart from what any person told you, that any State or county tax was paid for you within two years preceding that election?—A. Nothing further than the collector and Robert Stewart told me it was paid.

Q. Can you swear from your own knowledge it was paid?—A. Well, I could not tell you any further than Mr. Stewart told me he had paid them, and John Carr told me that they were paid.

Q. How long before the election was it that Stewart told you he had paid them?—A. He told me he had paid it so they could not keep me out of my vote; I could not say how many days before the election.

Q. Was it as long as a month before the election?—A. I could not say whether it was or was not.

Q. What is Stewart's politics?—A. A Democrat, I believe.

Q. When did you first speak to Stewart about paying your taxes?—A. I spoke to him before the primary election in September, 1878.

Q. Did he or not afterwards tell you that he had forgotten to pay them?—A. Yes, sir.

Q. How long was it afterwards?—A. I could not say; only a short time, though.

Q. According to the best of your recollection, was it as long as a month afterwards?—A. No, sir; I don't think it was.

Q. Then, after he said he had forgotten to pay the taxes, what did he tell you the next time he spoke to you about it?—A. He said he had paid them in time for me to vote.

Q. What time was it that Carr told you he had got the taxes?—A. At the election of November 5, '78.

Cross-examined:

Q. Were you a citizen of the United States for more than one month before the election of November 5, 1878?—A. Yes, sir.

Q. Had you resided in the State of Pennsylvania for one year or more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Had you resided in the election district of Girard Township, Clearfield County, Pennsylvania, when you voted, for more than two months immediately preceding the election of November 5, 1878?—A. Three years in March.

Q. Have you yourself, or has any one for you and upon your request, paid, within two years preceding the election of November 5, 1878, a State or county tax, which had been assessed at least two months and paid at least one month before the election of November 5, 1878?—A. Yes, sir.

Q. For whom have you been working for the last three years?—A. Robert Stewart, the most; I am a mechanic and work every place, but at his place most.

Q. By whom were your State and county taxes paid in 1877?—A. Robert Stewart.

Q. By whom were your State and county taxes paid in 1878?—A. Robert Stewart.

Q. When Robert Stewart paid your State and county taxes in 1877 were you working for him, and did he charge you with the amount of taxes he paid for you?—A. He told me he had, but I have never settled with him.

Q. When Robert Stewart paid your State and county taxes in 1878 for you, did he tell you he had done so and had charged you with them?

(This question and all preceding questions are objected to by counsel for contestee for the reason that they are improper in form to such an extent as to amount to an abuse of the right of examination of witnesses, in that they are all so framed by counsel for contestant as to put in the mouth of a witness who has sworn that he voted for contestant the desired answers, and further, for the reason that they are hearsay and not cross-examination.)

A. Yes, sir; he told me he had done so, and I told him to charge me with them; I was working for him at that time.

Q. Who was the collector of State and county taxes for Girard Township in 1877?—A. John Carr; he was constable and collector.

Q. Who was collector for State and county taxes of Girard Township in 1878?—A. John Carr.

Q. Did John Carr, or did he not, tell you that your State and county taxes for 1877 and 1878 had been paid to him by Robert Stewart?—A. Yes, sir, he did; he told me they were paid.

Re-examined:

Q. Do you mean to swear that you or Stewart either paid any State or county tax during the year 1877?—A. I could not say more than to the best of my knowledge from what Stewart and Carr told me.

Q. Outside of what Stewart or Carr told you, can you swear that you paid, or that any one paid for you, a State or county tax within two years preceding the election of November 5, 1878?—A. I could not; I could not say I saw the money paid.

Recross-examined :

Q. Was Robert Stewart, who told you that your taxes were paid, the man you spoke of as Stewart in your former answer?—A. Yes, sir.

Q. Was the John Carr you speak of the collector?—A. Yes, sir; and constable of Girard Township.

And further saith not.

WM. McC. THOMPSON.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.

FRED'K O'L. BUCK, *Amanuensis*.

Adjourned at 5.30 p. m. to meet March 13, 9.30 a. m.

JOHN L. LIGHTNER sworn :

Question. Where do you live?—Answer. Beccaria Township, Clearfield County, Pennsylvania.

Q. How long have you resided there?—A. Ever since I was born; about twenty-eight years.

Q. Are you married?—A. No, sir.

Q. Have you resided in Beccaria Township for at least one whole year immediately preceding November 5, 1878?—A. No, sir.

Q. Have you resided in this State during that time?—A. Yes, sir; and county too.

Q. For how long before November 5, 1878, have you continuously resided in said township of Beccaria?—A. About eight months, I think.

Q. When did you last pay a State or county tax?—A. The last tax I paid was September 7, 1878.

Q. To whom did you pay that tax?—A. To Jackson Kinkaid, collector.

Q. Where were you and Kinkaid when you paid such tax?—A. I was in John G. Glasgow's store, in Glen Hope, Beccaria Township.

Q. Who was present when you paid it?—A. I don't know that there was anybody.

Q. How much did you pay him?—A. The amount on his duplicate of State and county tax of 29 cents, I believe.

Q. Did you take his receipt?—A. Yes, sir.

Q. Where is the receipt?—A. I have it with me.

Q. When did J. Kinkaid give you your receipt?—A. The same day it is dated, the 7th September.

Q. When did you last see J. Kinkaid?—A. I can't give you the day exact; I have seen him several times.

Q. What does the name George W. Waring on the back of your receipt mean?—A. It don't mean anything. I wrote it on myself as a memorandum. He is official court reporter of Blair County; I was getting some shorthand copies.

Q. When did you last see G. W. Waring?—A. I think it was about the 1st of November; some time before the election.

Q. Where did Kinkead get the paper upon which your receipt is written?—A. I can't exactly say; I think he tore it off some old letter, or out of some old book.

Q. Whose name also is written on that receipt?—A. As near as I can read it, it is J. Blake Walters.

Q. Then you resided all the time in Beccaria Township, for the whole two months immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. With whom were you living?—A. I make my home with my father when I am at home.

Q. Who did you make your home with for all of said two months immediately preceding the election of November 5, 1878?—A. With my father.

Q. Who were you working for during said two months?—A. My father.

Q. Except the tax you paid Kinkead had you paid any other State or county tax within two years preceding November 5, 1878?—A. I don't know whether I did or not; I think I did, but I have no receipts; his duplicates don't show.

Q. To whom did you pay such other State or county tax within said two years, if you paid any?—A. It would be to Mr. Kinkead, if I paid it.

Q. All the State and county taxes which you had paid within two years preceding November 5, 1878, you paid to J. Kincaid?—A. Yes, sir; all State and county taxes, 1877 and 1878, or part of them I was not in the township; all I paid for those years I paid Kinkead.

Q. How do you know that the taxes you say you paid Kinkead on September 7, 1878, are not marked paid on his duplicate?—A. I was told by a man who examined his duplicate, who had a receipt and his tax was not marked; he then went with his receipt to Mr. Kinkead and made him mark it out on his duplicate.

Q. Were not your taxes marked exonerated on Kinkead's duplicate?—A. I can't say; I did not see his duplicate myself; he came to me last fall, on the 7th September, the day on the receipt; said he had a little State and county tax against me; I asked him how much it was; he said it was 29 cents; so I paid him the money and took his receipt.

Q. Have you not heard that your taxes were marked exonerated on Kincaid's duplicate?—A. No, sir.

Q. Did you vote in Beccaria Township at the general election of November 5, 1878, and, if so, for whom did you vote for Congress?—A. I did; for Andrew G. Curtin.

Cross-examined:

Q. Is this the receipt which you got from Kinkead, the collector?—A. Yes, sir.

Witness reads receipt, as follows:

“SEPTEMBER 7TH, 1878.

“Rec'd of J. L. Litner twenty-nine cts., being his county tax for the year 1876.

“J. KINKIAD,
“Collector.”

And further saith not.

JOHN L. LIGHTNER.

Attest.
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

Adjourned at 10.30 a. m. to meet March 14, 1879, 2 o'clock p. m.

MILTON L. OWENS affirmed:

Question. Where do you reside?—Answer. Decatur Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. I am twenty-three.

Q. Have you paid any State or county tax within two years preceding November 5, 1878?—A. My father paid it for me.

Q. When did your father pay a State or county tax for you?—A. Shortly before the election.

Q. Did or did not your father pay your State or county tax on November 5, 1878, the day of the general election?—A. I think he did the day I voted, to the best of my knowledge.

Q. Did or did not your father tell you that he had paid your State or county tax on the election day of November 5, 1878?—A. He said my taxes were all right.

Q. Who did your father pay those taxes to?—A. Levi Goss.

Q. Did you see your father pay those taxes to Levi Goss?—A. No, sir.

Q. Do you not know that your State or county taxes were not paid to Levi Goss before the election day of November 5, 1878?

(Objected to because the question is so framed as to put the answer desired by the counsel for contestee in the mouth of the witness; it is therefore leading and an improper one, and calculated to mislead the witness.)

A. No, sir; they were not.

Q. Then your State or county taxes were paid to Levi Goss, the collector, on the election day of November 5, 1878?—A. Yes, sir.

Q. Had you, before November 5, 1878, ever paid any State or county taxes?—A. I cannot answer the question, for about three years ago I paid taxes, but I don't know what they were.

Q. Did you pay any other State or county tax, or was any other State or county tax paid for you within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Did you vote at Decatur Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Cross-examined:

Q. Did you see your father pay your taxes?—A. No, sir.

Q. Did or did not your father tell you that he had paid your State and county taxes to Levi Goss before the election of November 5, 1878?—A. No, sir.

Q. Do you know of your own knowledge on what day your father paid your taxes?—A. I reckon he paid it that day; I did not see him pay it.

Q. What time of the day did you vote?—A. Between nine and ten, some place.

Q. How long before you voted did you read your ticket?—A. I cannot answer that; they gave it to me and I went up, and I had it a long time before I voted; I don't know how long.

Q. Who gave it to you?—A. I don't know.

Q. Did you put it in your pocket after you got it?—A. I don't know.

Q. Did you read the ticket after it was given you?—A. I read part it; I just looked over the ticket.

Q. Was the name of Hoyt upon it for governor?—A. No, sir.

Q. Whose name was on it for governor?—A. Dill.

Q. Then you say you did not read your ticket?—A. I did not just read it; I knowed what I voted. I voted the whole Democratic ticket.

Q. Have you a receipt for the payment of your taxes?—A. No, sir; but I can swear to them.

Re-examined :

Q. You are sure, are you, that you voted for Curtin?—A. Yes, sir.

Q. When were you born?—A. Second day of May, 1855.

And further saith not.

M. L. OWENS.

Attest :

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

NATHANIEL C. TOBIAS sworn.

Question. Where do you reside?—Answer. Ferguson Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. I will be 24 in April next.

Q. Did you vote in Ferguson Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Are you married?—A. Yes, sir.

Q. Where was your wife living on the election day of November 5, 1878?—A. Knox Township, Clearfield County, Pennsylvania.

Q. When did she go to Knox Township to live?—A. On the 11th of October, 1878.

Q. Did she continue to reside in Knox Township from the 11th of October, 1878, until after the election?—A. Yes, sir.

Q. At whose house did she make her home during that time?—A. Jacob Madley's.

Q. Did you work in Knox Township during part of the time from October 11 until after the election?—A. Yes, sir.

Q. Did you live with your wife at Madley's during a part of that time?—A. I was there off and on when I was not doing anything.

Q. Did you make your home there when you were not at work; there with your wife?—A. I was there, of course.

Q. What business were you engaged in?—A. A carpenter.

Q. For or under whom were you working?—A. Samuel Tobias.

Q. What kind of work were you engaged in, in building or repairing?—A. In building.

Q. Building what?—A. A house.

Q. Whose house were you building and where is it located?—A. John May's, I think, in Knox Township, Clearfield County, Pennsylvania.

Q. Were you engaged in building that house in Knox Township after October 11, 1878?—A. Yes, sir.

Q. When was it finished?—A. It is not finished yet.

Q. When did you go to work on that house in Knox Township?—A. I think I went to work in October some time.

Q. Did you continue there until after the election?—A. I think I did.

Q. How far is it from where you are working in Knox to where your wife lived at Madley's?—A. I don't know exactly; I think about three miles.

Q. While you were working at May's house, did you not go home and stay with your wife nearly every night?—A. I did not.

Q. About how many nights in the week did you go to Madley's to stay?—A. I don't think I was there any except at the end of the week.

Q. Did you not go there every Saturday and remain until the follow-

ing Monday?—A. I don't know that I did every Saturday; I was there occasionally.

Q. With whom did you live and board before your wife went to live in Knox Township?—A. Samuel Tobias of Ferguson Township, Clearfield County, Pennsylvania.

Q. How far did Samuel Tobias live from where you were building the house from May's?—A. About $3\frac{1}{2}$ miles, I suppose.

Q. How long have you resided in Clearfield County?—A. Since the 15th of March, 1878.

Q. Had you ever lived in Clearfield County before that?—A. No, sir.

Q. When were you married?—A. I think in August, 1878.

Q. When did you go to house-keeping?—A. About December, I think.

Q. Where?—A. In Ferguson Township.

Cross-examined:

Q. Was or was not Ferguson Township, Clearfield County, Pennsylvania, the place in which you made and intended to make your home for at least two months before the election of November 5, 1878?—A. Yes, sir.

Q. How long has Ferguson Township been your home?—A. It has been ever since the 15th of last March until this time, with the exception of a few weeks, probably a month or two, that I staid in Knox Township.

Q. Did or did not yourself and your family board whilst you were in Knox Township?—A. Yes, sir; we stayed there with another family.

Q. Then I understand you to say that you have not left Ferguson Township at any time with the intention of not returning thereto and making it your home?—A. I did not.

Q. Whilst you were working in Knox Township, did you or did you not consider Ferguson Township your home?—A. Yes, sir.

Q. Was your vote challenged?—A. It was not.

Q. Did you vote in any other election district at the election of November 5, 1878?—A. No, sir.

And further saith not.

NATHANIEL TOBIAS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

Adjourned at 4 o'clock p. m. to meet at 1 o'clock p. m., March 15, 1879.

ISAIAH HOOVER sworn.

Question. Where do you reside?—Answer. In Graham Township, Clearfield County, Pennsylvania.

Q. Do you know John Rupley, jr.?—A. Yes, sir.

Q. Where does he now live?—A. He is living with me in Graham Township.

Q. When did he come to live at your place?—A. I think he was there about 20 or 21 days before the election.

Q. Are you or not sure that he came to live with you within a month preceding the election of November 5, 1878?—A. No; I am not sure; I can't tell exactly; about three weeks, I guess.

Q. Are you satisfied it was not as much as a month before the election that he came to live with you?—A. Yes; I am satisfied it was not.

Q. Has he been living with you ever since?—A. Yes; he has been there ever since.

Q. Did he, during all that time, board at your house and get his washing done also at your house in Graham Township?—A. Yes; he got one shirt washed, I believe; he got it all done that he had whilst there.

Q. Has he ever since he came to your house got his boarding and washing done there?—A. Yes, sir.

Q. Do you know where John Rupley, jr., voted at the election of November 5, 1878?—A. He said he voted at Morris Township.

Q. Did he or not tell you he voted for Curtin?

(Objected to for the reason that John Rupley, jr., has been called by contestee and his testimony taken, and it is the best evidence of how he voted, and the evidence of the witness now sworn will be hearsay.)

A. Yes, sir.

Q. Is John Rupley, jr., working for himself and lifting his own wages?

—A. Yes, sir.

Q. Is Rupeley a married man?—A. No, sir.

Q. Are you acquainted with Peter Hoover and Peter Huffman?

(Counsel for contestant objects to the above question and the answer of witness thereto for the reason that it is immaterial and irrelevant to the cause in which question is now being taken.)

A. I ain't acquainted with Peter Hoover but am with Peter Huffman.

Q. Is or is not Peter Huffman a member of the Democratic party, and was he not an active worker in the interests of that cause, and especially for Curtin for Congress at the last general election?

(Objected to for the same reasons as in the objection to preceding question.)

A. I could not say.

Cross-examined:

Q. In what township was John Rupley, jr's., home?—A. Morris Township, I suppose, as near as I can tell.

Q. In what township did his father live for more than two months preceding the election of November 5, 1878?—A. Morris Township, Clearfield County, Pennsylvania.

Q. Was John Rupley, jr., employed by you by the month or by the day or what bargain had you between you?—A. I paid him for splitting hoops by the bundle and boarded him.

Q. Then while he was with you and working for you you boarded him?—A. Yes, sir.

Q. Did John Rupley, jr., ever go from your home in Graham Township to his home in Morris Township?—A. Yes, sir.

Q. Did he or did he not frequently go there?—A. He did not go very often.

Q. Did you have any conversation with him since he was here testifying in this cause a few days ago in reference to his going home? and, if so, state what he said.

(Objected to as not cross-examination, and hearsay and immaterial.)

A. As near as I can tell, when he came home he told me something about that; he told me he wanted to know whether he was going to live there always or not, and he said that he did not know that; he said he told you he did not know.

Q. Does not the answer you have just given relate to what he testified to when here a few days ago?—A. Yes, sir.

Q. Did you not have some conversation with him in reference to his going home to Morris Township in a few days? and, if so, state what he said.—A. No; not since he was up here.

Q. Did you or did you not ask him whether he was going home on Sunday?—A. Yes, sir; I asked him that this morning when I started from home.

Q. What did he say?

(Objected to as not cross-examination, immaterial, and hearsay.)

A. He said he did not know yet.

Q. Whenever he spoke of home did he not speak of his father's home in Morris Township as his home?—A. Yes, sir; when he spoke of home it was always of his father's in Morris Township.

Q. Had Rupley any definite contract for making any certain quantity of hoop straps?—A. No, sir.

Q. How long had he worn the shirt which was washed at your place, I mean the one he had on when he came there?—A. I can't tell how long he had had it on.

Q. Was not this the first washing he had after he came there to work for you?—A. It was the first, except he had a pair of socks.

Q. Is not John Rupley, jr., very easily led away in conversation?—A. Yes, sir.

Q. Does he not frequently answer questions at first and then change his answer upon a repetition of the question?—A. He might in a mistake by not remembering.

Q. Then John Rupley, jr., never made any arrangement with you, did he, by which he was to make your house his permanent home?—A. No, sir.

Q. From his conversation and his actions generally did you not, and do you not still, believe that his home was with his father in Morris Township, Clearfield County, Pennsylvania, at the time of the election of November 5, 1878?

(Counsel for contestee objects to witness testifying to his belief or to anything but facts.)

A. I believe so.

Q. Has he not always called his father's house in Morris Township, Clearfield County, his home?—A. That is what he called it when I heard him call it anything.

Re-examined.

Q. Did Rupley ever want to make your house his permanent home?—A. He never said he did.

Q. Did he not get all the washing he had done done at your house after he came there three weeks before the election?—A. All that I know of.

Q. Is not Rupley's father a pauper on Morris Township?—A. Yes; he is.

Cross-examined:

Q. Did you or did you not agree to give Rupley so much per bunch for making straps, and board and washing included?—A. Yes, sir.

And further saith not.

ISAIAH HOOVER.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O'L. BUCK,
Amanuensis.

W. W. HOOVER sworn.

Question. Where do you reside?—Answer. Graham Township, Clearfield County, Pennsylvania.

Q. Are you collector of State and county taxes for Graham Township, and how long have you been, and for what years?—A. Yes, sir; I am collector. I collected part of 1875 and all of 1876 and 1877.

Q. Who was the first collector of State and county tax for 1875 in that township?—A. Josiah M. Evans.

Q. Did you succeed him as collector of those taxes, and when was it?—A. In the spring of 1876.

Q. Did Josiah M. Evans collect any State and county taxes after the spring of 1876?—A. No, sir; he had no right to.

Q. Did you collect all of the State and county taxes for 1875 that were collected after you got the duplicate in the spring of 1876?—A. I did.

Q. Do you know Reuben Wright, of Graham Township?—A. Yes, sir.

Q. Did Reuben Wright pay any State and county taxes to you, and, if so, when?—A. In the spring of 1876 he paid me the State and county tax of 1875.

Q. Was that tax on the duplicate that Josiah M. Evans had?—A. Yes, sir.

Q. Did he ever pay you any State or county tax after the spring of 1876?—A. Not until last fall on the election day of November 5, 1878; he then paid \$10 on a bill of school and poor and State and county amounting to \$25.

Q. Did he pay you any State and county tax between the spring of 1876 and the election day of November 5, 1878?—A. No, sir.

Q. State whether James Moyer paid you any State or county tax within two years preceding the election of November 5, 1878.—A. He paid me tax; I could not say whether it was State or county, or what it was.

Q. State when he paid you, and how much he paid you within two years preceding November 5, 1878.—A. He paid me \$1 school tax in the summer of 1876—it was for 1874; then this spring a year ago he gave me a poor order of \$10, which I credited on the tax I then had against him, which was State and county, school and poor, for the years 1874, '75, '76, '77, and '78; the whole amount against him was over \$20.

Q. Did he pay you any other tax of any other kind within two years?—A. I think he paid me \$2 last fall before the election; it was less than thirty days before the election.

Q. Did you credit that generally on his tax, the same as before?—A. Yes, sir.

Q. State whether you gave him any receipt for the payment of any tax which he paid within two years preceding the election of November 5, 1878.—A. No, sir.

Q. Did you give him a notice of the amount of his taxes as you give and send to all tax-payers, with a blank receipt written under it; and, if so, how did you mark the credit?—A. I did give him notice with blank receipt, as stated; I marked the credit on the end of the notice first, \$1, then \$10, then \$2.

Q. The \$1 was paid over two years before the election of November 5, 1878, was it not?—A. It was paid in the spring of 1876, on school tax for 1874.

Q. When was the \$10 paid?—A. The \$10 was paid in the spring of 1878, generally, on all his taxes.

Q. They were the only taxes he paid you except the \$2 at the election?—A. Yes, sir.

Q. Did Cyrus Hall, of Graham Township, pay any State or county

tax, or did any one for him, or at his request, pay such tax within two years and over one month preceding the election of November 5, 1878?—A. Yes, sir; in the spring of 1878 Morris Dunlap told me that Cyrus Hall was in our township again and for me to fix his State and county tax. I was coming to Clearfield on the 4th of June; I marked his tax paid on the duplicate and paid it with some others to the county treasurer.

Q. Did not Hall make the same request of you?—A. No; I had not seen Hall. In July, 1878, I told Morris Dunlap that I had paid Hall taxes.

Q. Did Warren P. Hoover pay you a State or county tax within two years preceding the election of November 5, 1878?—A. Yes, sir; he paid me in April, 1878.

Q. Did John A. Hoover within two years and within one month pay you a State or county tax?—A. Yes, sir; at the first Monday of June, 1878.

Q. Have each of the taxes paid by these three persons been assessed above two months before the election?—A. Yes, sir.

Q. What were the politics of Peter Huffman during the campaign of 1878?—A. A strong Curtin man. I mean Peter Huffman, of Morris Township.

Cross-examined:

Q. Do you mark upon your duplicates the dates at which persons pay you their taxes?—A. Very seldom; there may be one or two places.

Q. Do you make entries of the dates upon any other book or memorandum if you make none upon your duplicate?—A. No, sir.

Q. How many names of persons assessed with taxes were there upon your duplicate for each of the years 1875, 1876, 1877, and 1878?—A. Something over 100 on each.

Q. Was all of the taxes on the duplicate of 1875 that came to your hands paid by the 1st of June, 1876?—A. No, sir; not all.

Q. What proportion of the amount or number of persons had paid?—A. I could not tell that without looking at the duplicate.

Q. What proportion of persons on the duplicate of 1876 had paid their taxes on the 1st of June, 1877?—A. I can't say without referring to my receipts from the county commissioners.

Q. Could you tell what proportion of the persons assessed on your duplicates of 1877 and 1878 have paid their taxes to this time without referring to the books?—A. I did not have 1878 duplicate. I could not tell what proportion I had. There was \$77 back previous to the election.

Q. How much was James Moyer's State and county tax for either of the years 1875, 1876, or 1877?—A. I could not mind that. I think it was \$1.80, State and county for one year. The next it was up as high as \$2.

Q. Did his State and county tax for 1875, 1876, and 1877 amount to as much as \$10 in all those years?—A. No, sir; I don't think it did.

Q. Did you make any memorandum or entry of the date at which Reuben Weight paid you tax?—A. No, sir.

Q. Did you make any memorandum or entry of the date at which W. P. Hoover paid you his tax?—A. The way I know, I fix the time by circumstances. I made no memorandum.

Q. Do you fix the time of the payment by John A. Hoover in the same way as you do W. P. Hoover?—A. Yes, sir; at the school settlement.

Q. When did Cyrus Hall repay you the tax you fixed assessed against him?—A. It is not paid yet.

Q. Where was Cyrus Hall living at the time you fixed the tax, as you state?—A. He was living with his mother in Graham Township.

Q. How long had he been out of the township?

(Objected to as not cross-examination.)

A. I could not tell.

Q. Do you know when he returned of your own knowledge?—A. I think some time in the spring of 1878.

Q. Do you know of persons voting in Graham Township who had not paid taxes within two years, and more than thirty days before the election other than Reuben Weight, who you say had not paid taxes in that time?

(This question objected to, for the reason it is not cross-examination, and also objected to for the further reason that it is calculated to lead to hearsay testimony, and the witness should be confined to his own personal knowledge of persons who had not paid tax.)

A. I believe there is a couple yet.

Q. How many are there?—A. I think there are two yet.

Q. Are there not more than two that you know of?—A. No, sir; I don't think there is.

Q. Who are the two that you know of?—A. James Nailen and Peter N. Lansberry.

Q. Are you sure there are not others?

(Objected to for the reason it is unfair to the witness.)

A. Not to the best of my knowledge; there are none.

Q. Were there taxes paid for persons in your township and to you by others than the persons against whom the tax was assessed?—A. No, sir.

Q. How many were there who had not paid taxes more than a month before the 5th of November, 1878, nor for two years, but who paid within thirty days and voted?—A. I don't think I collected any tax from the 1st of January, 1878, to the day of election, except \$2.

Re-examined:

Q. What were the politics of Peter N. Lansberry and James Nailen at the election of November 5, 1878?—A. I could not tell; they were badly mixed up; they had been Democrats.

Q. Did you subpoena them?—A. No, sir.

Q. Who did?—A. They were away from home; they were not subpoenaed.

Q. Do you know there was a subpoena out for them?—A. I knew there was for Nailen. I did not know there was one for Peter Lansberry.

Q. Were they or were they not counted among the Curtin voters?—A. Most of them say they did. For my part, they never told me.

Q. How did you credit taxes where they were paid without direction as to credit?—A. I would credit it to the oldest duplicate. The warrants that were dead I would credit to first.

Q. Did James Moyer pay you enough within two years preceding the election of November 5, 1878, to pay the taxes of any one year?—A. Yes, sir; I think he has. I don't think it amounts to \$10.

And further saith not.

W. W. HOOVER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOSEPH W. YOTHERS affirmed.

Question. Where do you reside?—Answer. In Clearfield Borough, Clearfield County, Pennsylvania.

Q. How near do you reside to the residence of Jacob Gearheart, a former resident and citizen of Bloom Township?—A. About 200 feet.

Q. When did Jacob Gearheart move himself, his wife, and family, and his goods and chattels, from Bloom Township to Clearfield Borough?—A. On the 4th of November, 1878.

Q. Were you present when the wagons containing these articles arrived in Clearfield Borough, and at his present residence, on November 4, 1878?—A. Yes; I was at my own residence, and saw them.

Q. What persons were there, and how many wagon-loads of stuff?—A. There was himself, his wife, and child, two teamsters, and two wagon-loads of household goods.

Q. What time of day did they arrive?—A. About noon, as near as I can tell.

Q. When were the wagons unloaded?—A. The same afternoon.

Q. Was it or was it not a complete flitting, as far as you could see?—A. I think so.

Q. Have these articles all there that day unloaded and remained there ever since?—A. Yes, sir.

Q. What, if anything, did Jake Gearheart bring there afterwards?—A. He brought hay and fodder for his cattle.

Q. Has he or has he not resided at that house with his family, in the borough of Clearfield and made it his home, ever since he arrived there that day?—A. Yes, sir; he has.

Q. Has he or has he not kept there a house of ill-fame?—A. I have heard so.

Q. Is not that the general report in the community?—A. I can't say whether it is general; I hear it a great many places.

Q. How long have you known Jacob Gearheart?—A. Twenty years.

Q. What has been his reputation for truth and veracity?—A. I never heard it questioned.

Q. How long have you lived near to him?—A. Only since November 4, 1878.

Q. How far did you live from him when he lived in Bloom Township?—A. At least eleven miles.

Cross-examined:

Q. Do you know where Mr. Jacob Gearheart staid Monday night, November 4, 1878?—A. I do not.

Q. You do not know, then, whether, he returned to Bloom Township with the teams, or staid here?—A. I do not.

Q. Did Mr. Gearheart call the house to order, and proceed to business that night?—A. I could not say; she and the child staid there that night.

And further saith not.

JOSEPH W. YOTHERS.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

Adjourned at 5 o'clock p. m., to meet at 10 o'clock a. m., March 17, 1879.

JACKSON REMALEY sworn.

Question. Where do you live, and what is your age?—Answer. Bell Township, Clearfield County, Pennsylvania; my age is twenty-eight years.

Q. Did you vote in the election district of Bell Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Did you less than one month before that election pay a State or county tax to John G. O'Dell, collector of Bell Township?—A. I did less than a month; the receipt was dated back to October 1.

Q. Who dated back the receipt?—A. O'Dell did it, I suppose; I did not see him do it; I told him to do that, so that I could vote.

Q. Had you or had you not, paid any other State or County tax within two years preceding the election of November 5, 1878?—A. I had not, according to my memory; I can't recollect of any.

Cross-examined:

Q. Where did you live for two years preceding the election of November 5, 1878?—A. One year in Bell Township, Jefferson County; then I moved back to Bell Township, Clearfield County, Pennsylvania.

Q. Had you paid any taxes in Jefferson County?—A. I can't recollect whether I did or not.

Q. Had you lived in Clearfield County before going to Jefferson County?—A. Yes, sir.

Q. Did you read your ticket?—A. No, sir.

Q. Who gave it to you?—A. Robert Mehaffey.

Q. Did he read it to you?—A. No, sir.

Q. Who did read it to you?—A. No person; he put it up and told me it was all right.

Q. Do you testify you voted for Curtin because Mehaffey told you the ticket was all right?—A. No, sir; I wanted to vote that ticket, and I knew that he was the right man.

Re-examined:

Q. What are Robert Mehaffey's politics?—A. As far as that is concerned, I do not know.

Q. Who was he in favor of for Congress, Curtin or Yocum?—A. Curtin.

Q. Did he work for Curtin?—A. I don't know.

Q. Did you tell him what ticket you wanted to vote for Congress, and that you voted for Curtin?—A. Yes, sir, I did; and that I wanted to vote for Curtin.

Q. When he handed you the ticket, did he or did he not tell you that ticket was all right?—A. Yes, sir; he told me it was all right.

Q. Did you vote the ticket he handed you?—A. Yes, sir.

And further saith not.

JACKSON REMALEY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK.

AUSTIN CURRY sworn.

Question. Were you collector of Chest Township, and for what years?—Answer. Yes, sir; for 1877, and also a portion of Wood's duplicate for 1876, State and county taxes.

Q. Did you or did you not make an agreement with Jacob Pennington, jr., by which his State and county taxes were to be paid by your indebtedness to him for bank-leave?—A. I don't recollect of having that conversation.

Q. Did you mark his taxes paid on the duplicate?—A. No, sir; I did not.

Cross-examined:

Q. Did you owe Jacob Pennington, jr., for bank-leave when you were collector?—A. Yes, sir.

Q. How much?—A. Five dollars; that's what he told me it would be.

Q. For what year?—A. For 1877.

Q. Do you testify that you had no conversation with him, or that you do not recollect of any?—A. The conversation I had with Pennington was about the price of the rafting ground; that was in the summer of 1878.

Q. Can you now say where the conversation occurred?—A. I don't believe I can.

Q. Do you swear that you did not have a conversation with Pennington in which he spoke to you about crediting this bank leave upon his tax?—A. I don't recollect of such a one. I only remember of his talking about the price.

And further saith not.

AUSTIN CURRY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN W. HOWE sworn.

Question. Have you the registry-lists of the following election districts before you, viz, Clearfield Borough, Newburgh Borough, and Wallacetown Borough, Bell Township, Chest Township, Jordan Township, Knox Township, Lawrence Township, and Penn Township?—Answer. Yes, sir.

Q. Have you made copies of the said registry-lists for the said election districts, and are they true, correct, and compared copies as made and compared by you?—A. I made all the copies but Lawrence Township, and compared all of them.

Q. Who made the copy for Lawrence Township?—A. W. V. Wright.

Q. Did he make it in your presence and under your direction?—A. Yes, sir; and I compared the copy.

Q. Are you satisfied that all of the said copies are true and correct copies and that they contain in each instance all the names upon the June and September registry-lists for the year 1878 (and no more), as they remain on file in the commissioners' office; and, if so, are you satisfied of this from your own personal inspection and comparison of the copies with the said originals?—A. Yes, sir.

Q. For what year are these registry-lists copies of which have thus been made by you?—A. For the year 1878.

Q. Are they those in use at the time of the election of November 5, 1878?—A. There were copies of these originals made and sent to each election district about the last of October, 1878.

Q. What is your position or office?—A. Commissioners' clerk for Clearfield County.

Cross-examined :

Q. Do these copies show what names belong to the June registry, and what to the September registry, and how is the distinction marked on the copies?—A. The September registry is carried in the back of the book, and headed on the top "September registry."

And further saith not.

JNO. W. HOWE.

Attest :

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

Counsel for contestee offers in evidence copies of registry-lists identified by witness and marked as follows, to wit: Clearfield Borough, marked Exhibit I; Wallaceton Borough, Exhibit J; Newburg Borough, Exhibit K; Bell Township, Exhibit L; Chest Township, Exhibit M; Jordan Township, Exhibit N; Knox Township, Exhibit O; Lawrence Township, Exhibit P; Penn Township, Exhibit Q.

Adjourned at 11.30 a. m. to meet at 2.30 p. m., March 18, 1879.

J. W. CARLILE affirmed.

Question. Where do you reside?—Answer. Luthersburg, Brady Township, Clearfield County, Pennsylvania.

Q. Were you one of the inspectors of the election held in Brady Township, Clearfield County, Pennsylvania, on November 5, 1878, and were you present during that election day as such inspector?—A. Yes, sir; I was.

Q. Are you acquainted with all the voters in Brady Township named Frederick Knorr?—A. I am.

Q. Did any person named Fred'k Knorr vote at said election?—A. That is a question I am not positive of; but I believe one did; but I can't say positive.

Q. If a Frederick Knorr did vote at said election, what Frederick Knorr was it?—A. Frederick Knorr, jr., son of Frederick Knorr.

Q. Was there only one Frederick Knorr in Brady Township on November 5, 1878, who is the son of Fred. Knorr?—A. There is only one Fred'k Knorr who is the son of a Frederick Knorr.

Q. How many voters are there in Brady Township named Frederick Knorr, or persons old enough to vote named Frederick Knorr?—A. There are two Frederick Knorrs, Frederick Knorr, jr., and sr., who are old enough to vote.

Cross-examined :

Q. Did you in conducting the election of November 5, 1878, endeavor to do so carefully and according to law?—A. Yes, sir; we did.

Q. Did you have charge of the registry-list any part of the day?

(Objected to as not cross-examination.)

A. Yes, sir.

Q. Did you have charge of it during the forenoon of the day?—A. I think not entire; we changed off, that is myself and the other inspector, to relieve ourselves. I did the main part of the checking, in fact nearly all.

Q. Have you spoken to Frederick Knorr, jr., since the election about his voting?—A. No, sir.

Q. Who served the subpoena on you?—A. My brother, J. W. Carlile.

Q. Was any other name on the subpoena?—A. Yes, sir.

Q. Was Fred'k Knorr's, jr., name one?—A. I believe it was. I would not say positive.

Q. Is Fred. Knorr, jr., here?—A. I have not seen him; I think not.

Q. Do you now believe from the knowledge you have that Fred'k Knorr, jr., voted on the 5th of November, 1878?—A. I believe he did: as I said before, I can't say positive.

And further saith not.

J. MILTON CARLILE.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary.*

FREDERICK O'L. BUCK,
Amanuensis.

J. M. CARLILE recalled and reaffirmed.

Question. Do you know Ellis Miles of Brady Township, Clearfield County, Pennsylvania?—Answer. Yes, sir.

Q. Where did he and his family reside on the day of election of November 5, 1878?—A. He and his wife removed to Union Township, this county, before that election.

Q. Was he or was he not a resident of Union Township on November 5, 1878?—A. He had moved there.

Q. How long, as nearly as you can tell, had he moved to Union Township before that election?—A. In the neighborhood of from two to four weeks.

Cross-examined:

Q. Do you know what he went there for?—A. He went there to live; he came and got my wagon to haul some potatoes, and said he was moving, or had moved.

Re-examined:

Q. Did he vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir, he did.

Q. Do you know what ticket he voted?—A. No, I don't, but I suppose it was the Democrat ticket; the whole family are Democrats, and I never knew him to vote anything else.

And further saith not.

J. MILTON CARLILE.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary.*

FRED. O'L. BUCK,
Amanuensis.

ELLIS MILES affirmed.

Question. Where do you live?—Answer. About three miles from Luthersburg, in Brady Township, Clearfield County, Pennsylvania.

Q. Did you vote at the general election in Brady Township held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I don't remember.

Q. Did you vote for Curtin or Yocum?—A. I didn't vote for Yocum, but I don't know whether I voted for Curtin or not.

Q. Who gave you the ticket that you voted?—A. I don't remember.

Q. Where did you get your ticket?—A. I got it in Luthersburg somewhere. I don't remember where.

Q. Are you a Democrat?—A. Yes, sir.

Q. When you got your ticket which you voted, did you ask for a Democratic ticket?—A. Yes, sir.

Q. As well as you can recollect, who gave you your ticket?—A. I can't say who.

Q. Was it either Charles Schweem or Daniel Goodlander?—A. I suppose it was one of them, but I can't tell which.

Q. Did you not get from either Goodlander or Schweem the ticket you voted?—A. I believe I did.

Q. After you got the ticket, did you read it?—A. Yes, sir.

Q. Was Curtin's name for Congress on that ticket which you voted?—A. I don't remember.

Q. Was the ticket you voted the ticket which either Goodlander or Schweem gave you?—A. I believe it was.

Q. Are Goodlander and Schweem both Democrats?—A. I don't know.

Q. Do you swear that you do not know that Daniel Goodlander is a Democrat, and also Charles Schweem?—A. I don't know that Charles Schweem is, but Goodlander I believe is.

Q. After you got the ticket you voted, how many names did you scratch off that ticket?—A. I don't know that I scratched any off.

Q. Did you scratch any off, or did you vote it without any scratching?—A. I don't remember whether I did or not; I opened it up to see whether it suited me or not.

Q. Where was you when you looked at your ticket?—A. On William Schweem's porch, I believe, which was at the election house.

Q. After reading your ticket did you at once go and vote the ticket you examined?—A. No, sir.

Q. How soon after?—A. I don't remember how soon.

Q. As near as you can tell?—A. Between a half hour and an hour, I suppose.

Q. After you got the ticket what did you do with it until you voted it?—A. I had it in my pocket from the time I left Schweem's porch until I voted.

Q. Did you change the ticket from the time you got it until you voted it in anyway?—A. I changed it in no way that I know of, but I opened it up and looked at it and put it in my pocket.

Q. Did you write or mark anything on the ticket before you voted it?—A. Not that I know of.

Q. Did you not vote, to the best of your knowledge, the Democratic ticket in full?—A. Well, I can't say whether I did or not.

Q. Who did you vote for for governor?—A. I can't say.

Q. Who did you vote for for anything?—A. I don't remember—I have a very short memory.

Q. Did you intend to vote the Democratic ticket, or did you not?
(Objected to as incompetent evidence.)

A. Yes, sir, I did, and always will.

Q. Did or did you not intend to vote for Andrew G. Curtin?

(Objected to as incompetent evidence.)

A. I don't remember whether I did or not.

Q. If Andrew G. Curtin's name was on the Democratic ticket for Congress did you not vote for him?—A. Well, if I did not scratch it out, or it was not scratched out, I did; there were several there that scratched it out.

Q. Did you scratch Curtin's name off your ticket?—A. I don't know whether it was off or not; I don't know that it was on.

Q. You say you read your ticket; was it a Democratic ticket?—A. It was.

Q. Was Curtin's name on the ticket when you read it?—A. I don't know that.

Q. Did you vote the whole straight Democratic ticket?—A. Well, I don't know whether it was all on there or not.

Q. Did you open up your ticket and read it?—A. Yes, sir.

Q. Did you vote for the Democratic candidates for treasurer and county commissioners?—A. To the best of my memory, I did.

Q. Was there any name scratched on the ticket you voted, which ticket had on the names of the candidates for treasurer and commissioner?—A. I don't remember.

Q. Were there any scratched when you looked at the ticket?—A. I can't tell you.

Q. Did you scratch any off?—A. I don't think I did.

Q. After you got the ticket from Goodlander or Schweem did anybody else have it till you voted?—A. After I got the ticket they did not.

Q. To the best of your knowledge and recollection, did you not vote for Curtin for Congress?—A. To the best of my knowledge I can't say who it was.

Q. Are you married?—A. Yes, sir.

Q. Where did you and your wife and family reside in October, 1878?—A. In Union Township, Clearfield County, Pennsylvania.

Q. In October, 1878, was Union Township the residence and home of yourself and wife?—A. Yes, sir, Union township.

Cross-examined:

Q. Did you go to Union Township to remain there or to stay there for a short time?—A. I went to stay two months.

Q. What did you go for?—A. Well, it was getting cool and I moved out until I could get it repaired—my house was very cool.

Q. Did you offer to vote in Union Township?—A. No, sir, I did not; I was not up there at the time, only three or four nights all the time.

Q. Where were you and what were you doing while your wife was in Union Township?—A. I was in Brady Township working for my father.

Q. How many days were you out of Brady Township altogether?—A. To the best of my knowledge not over five or six in the two months.

Re-examined:

Q. Did you move all your household goods, yourself and family, back into Brady Township?—A. Yes, sir.

Q. When did you move back into Brady Township?—A. I was up there in Union two months lacking a few days.

Q. Whose house were you living in in Union Township, in October, 1878?—A. Levi Dressler's.

Q. For how long a time did you rent the house from Dressler?—A. I had no set time. I did not rent it at all.

Q. Was your wife living in Dressler's house in Union Township during October, 1878?—A. Yes, sir.

Q. How far from Dressler's house were you working in October, 1878?—A. To the best of my knowledge it is about nine miles.

Q. How often did you go home to your wife while you lived there?—A. Every two weeks.

Cross-examined:

Q. Did you go to Union Township to make that your future residence

or only while you were repairing the house you spoke of?—A. I went just until I could get another place to go into.

Q. Did you move all your household goods to Union Township or only part?—A. Only part.

Re-examined:

Q. What goods did you move into Union Township?—A. Two stoves, two beds, one table, part of my chairs, no carpets, some cooking utensils, just what we needed, dishes, &c.

And further saith not.

ELLIS MILES.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FREDERICK KNORR, jr., sworn.

Question. Where do you reside and what is your age?—Answer. In Brady Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. Twenty-four on April 16, 1879.

Q. Did you pay any State or county tax within two years preceding the election of November 5, 1878?—A. No, sir; I did not.

Q. Did you vote in the election district of Brady Township on the general election of November 5, 1878?—A. No, sir.

Q. How many persons who are old enough to vote by the name of Frederick Knorr were there in Brady Township on November 5, 1878?—A. Only two that I know of.

Q. Who are they?—A. Myself and my father.

Q. Was it your father who was called as a witness at the hearing in Du Bois about two weeks ago?—A. I don't know. I know he was over there.

Q. Did your father tell you he was going there to testify or had been there and testified?—A. He told me when he got home that he had been there to testify.

Q. Do you swear that you did not vote at Luthersburg in Brady Township on November 5, 1878?—A. Yes, sir.

Q. What are your politics?—A. That I don't know till I vote.

Q. Would you have voted for Curtin or for Yocum for Congress if you had voted on November 5, 1878?

(Objected to as an improper question.)

A. I would have inquired who was the best man for my first vote.

Q. Do you swear that you never voted in your life?—A. Yes, sir.

And further saith not.

FRED. KNORR, JR.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FREDERICK O'L. BUCK,
Amanuensis.

Adjourned at 6 o'clock p. m., to meet March 19, 1879, at 3.20 o'clock p. m.

EDWARD MILLER sworn.

Question. Where do you reside and what is your age?—Answer. Going on 26. I reside in Pike Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Pike Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. When had you last paid a State or county tax before that election?—A. In 1876.

Q. What time in 1876, as near as you can tell, and have you a receipt for the payment of that tax?—A. Yes, sir; I have a receipt; here it is. It was the 6th of October, 1876, it was dated.

Q. You had not paid any State or county tax within two years preceding the election of November 5, 1878, had you?—A. No, sir; I had not.

Cross-examined:

Q. Had you paid any tax since the 6th of October, 1876?—A. No, sir.

Q. Had anybody for you?—A. No, sir.

Q. Who did you get your ticket from that you voted?—A. Cortes Bloom.

Q. Did you read it?—A. Yes, sir.

Q. Whose name was on it for the legislature?—A. I know, but I can't name him.

Q. Whose name was on for judge?—A. Can't remember that.

Q. Whose name was on for governor?—A. I have forgotten.

Q. Did you read your entire ticket through?—A. Yes, sir.

Q. Where were you at the time Bloom gave you the ticket?—A. Up above the tavern, between Notestime's and the election-house.

Q. Had you been in the hotel of Notestime with Cortes Bloom?—A. No, sir; not then.

Q. Had you been there with Bloom and taken by him to a room that he had a key of, and got whisky or beer there that day?

(Objected to by counsel for contestee as not cross-examination.)

A. Yes, sir.

Q. How long before he gave you the ticket you voted?—A. It was after I voted, two hours.

Q. Who was named on your ticket for county treasurer?—A. William Bloom, I think.

Q. Who did you vote for for county commissioners?—A. I can't just remember that.

Q. How many parts or pieces were there of your ticket?—A. There was two pieces.

Q. What were they; what offices?—A. I can't just think.

Q. If you cannot remember any other name on your ticket, how do you remember you voted for Curtin?—A. I did know all the names on the ticket, but it has been so long past I can't remember any more.

Q. What fixes your memory on the one name you remember?—A. I don't know hardly what; I just kept his name, because it was easier kept than the rest.

Q. Who were the other candidates against Curtin, and was there more than one?—A. Yocum; that is all I remember.

Re-examined.

Q. Was not Cortes Bloom a Democrat?—A. Yes, sir.

Q. Was he or was he not working for Curtin at that election, if you know?—A. Yes, sir; he was.

Q. Were the other candidates who were on the ticket he gave you Democratic or Republican candidates?—A. They were Democratic.

Q. Was it Hoyt or Dill that was on for governor?—A. I can't say.

Q. If Dill was the Democratic candidate, was not his name on that ticket?—A. Yes, sir.

Q. Was there or was there not a good deal of talk at that election, and since that election, about Curtin and Yocum as candidates for Congress?—A. Yes, sir; there was.

Q. Is or is not this the reason why Curtin's name and Yocum's name were impressed on your mind, and is not this the reason you can remember better for whom you voted for Congress, than the other candidates on the ticket?—A. Yes, sir; that is the reason.

And further saith not.

I. E. MILLER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K. O'L. BUCK,
Amanuensis.

Adjourned at 4 p. m.

MARCH 19, 1879—7 o'clock p. m.

DANIEL PLACE sworn.

Question. What is your age, and where do you reside?—Answer. Twenty-six years; I live in Brady Township.

Q. Did you vote in the election district of Brady Township at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. That's more than I can remember.

Q. Did you vote for Curtin or for Yocum for Congress?—A. For Andrew G. Curtin.

Q. When had you last paid a State or county tax before that election?—A. Well, about two years.

Q. How long was it before the general election of November, 1876?—A. As near as I can tell, about two months.

Q. Then you had not paid any State or county tax within two years preceding the general election of November 5, 1878, had you?—A. Not as I remember of.

Q. Was that tax which you paid about two months before the general election of November, 1876, the last State or county tax which you paid?—A. Yes, sir; I think it was.

Cross-examined:

Q. Did you read your ticket?—A. Yes, sir.

Q. How long before you voted?—A. As near as I can tell, about half an hour.

Q. Whose name was on the ticket for judge?—A. That is more than I can tell.

Q. Where did you get your ticket?—A. At Sayler's.

Q. Did you make it up yourself?—A. No, sir.

Q. How many parts was your ticket in?—A. That is more than I can tell.

Q. Who was the candidate you voted for for commissioner of the county?—A. I could not tell you.

Q. Did you intend to vote the Democratic ticket?—A. Yes, sir.

Q. Can you swear that you voted for all the Democratic candidates, if you do not remember how many parts there were to your ticket?—A. Yes, sir; I can.

Q. To whom did you last pay a State and county tax?—A. To A. M. Draucker, in Luthersburg.

Q. Have you a receipt with you?—A. No, sir; I never got a receipt.

Q. Have you lived more than two years continuously before the 5th of November, 1878, in Brady Township?—A. Yes, sir.

Q. Did the collector of State and county tax demand taxes from you?—

A. He did two years ago last fall, the fall the sheriff was elected.

Q. Have you been asked for taxes since that time?—A. No, sir.

Re-examined:

Q. When you speak of being asked for taxes two years ago last fall, does that refer to the taxes which you say you paid about two months before the general election of November, 1876?—A. Yes, sir.

Q. Was the man who made up your ticket and gave it to you a Democrat or Republican?—A. A Democrat.

Q. What kind of a ticket did you tell him you wanted, if you spoke of any kind?—A. A Democratic ticket—a Democratic hand clear through.

Q. Was that what you got and voted?—A. Yes, sir.

Q. Is the Brady Township in which you voted on November 5, 1878, in Clearfield County, Pennsylvania?—A. Yes, sir.

And further saith not.

his
DANIEL + PLACE.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
F. O'L. BUCK,
Amanuensis.

ISAAC OGDEN recalled and sworn.

Question. Did you pay any State or county tax within two years preceding the general election of November 5, 1878?—Answer. Yes, sir; I did.

Q. When and to whom?—A. In the fall of 1877, to A. M. Draucker.

Q. Did you get a receipt for it?—A. Yes, sir.

Q. When did you get that receipt?—A. I could not tell the day, but I got it in the fall of 1877.

Q. Will you produce that receipt?—A. Yes, sir; I will. (Receipt produced.)

EXHIBIT R.—*Wm. Radebaugh, N. P., March 19, 1879.*

“Received of Isaac Ogden His School & County tax fore 1876.

“A. M. DRAUCKER, Col.”

Q. When did you last see A. M. Draucker and talk to him on the subject of your taxes?—A. The day he went out to the sledge to start he came to me and asked me if I had the receipt; I told him I had.

Q. Do you swear that he did not give you this paper, which you call a receipt, to-day?—A. No, sir; he did not.

Q. Is that the only State or county tax which you paid within two years preceding the election of November 5, 1878?—A. It was all I paid until last December, 1878, I paid.

Q. Then it was the only State or county tax that you paid within two years preceding that election?—A. Yes, sir.

And further saith not.

his
ISAAC + OGDEN.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN W. HOWE recalled and resworn.

Question. Have you made a copy of the registry list for the year 1878, which is on file in the commissioners' office, Clearfield County, for the election district of Boggs Township, and have you before you that original and the copy made by you?—Answer. Yes, sir.

Q. Is the copy made by you a true, correct, and exact copy of that original, and have you examined and compared that copy with the original, so as to be able to swear that it is a correct copy?—A. Yes, sir.

Q. Does it contain the names of the persons on both the June and September lists, as returned by the assessors, and as now on file in the commissioners' office?—A. Yes, sir.

And further saith not.

JNO. W. HOWS.

Attest :

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Counsel for contestee offers in evidence copy of registry-list of Boggs Township election district, which has been sworn to and identified by witness and marked Exhibit S.

Adjourned at 8 o'clock p. m. to meet at 11 o'clock a. m., March 20, 1879, at the Continental Hotel, in Houtzdale Borough, Clearfield County, Pennsylvania.

STACY T. BOWMAN sworn.

Question. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—Answer. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. On which side of the original line between Woodward and Boggs Townships did you live on November 5, 1878?—A. The original line runs right through the place. I live on the Boggs Township side of that line.

Q. Do you live on the same side of that line that Milton Hampton does?—A. Yes, sir.

Q. Do you live nearer to the line of, or farther from it, than Milton Hampton?—A. A little farther, I suppose, or about the same.

Q. Was the house you lived in on November 5, 1878, on the Boggs side of the original township line?—A. Yes, sir.

Q. How long had you lived in that house?—A. About two years.

Q. Is the township line referred to well marked in any way?—A. I never saw any, but we know well enough where it is. There is a road there.

Q. What road is that, and is it not known as the Clearfield bridge road?—A. Yes, sir.

Q. Is or is not the Clearfield bridge road much traveled and used for a long time?—A. Yes, sir; it has been used a good while.

Q. Has it been much traveled?—A. Yes, sir.

Q. Do you know of any change having been made in that township line for school purposes by which a portion of Boggs Township was thrown into Woodward Township for school purposes?—A. Yes, sir.

Q. How long ago was that change made?—A. That is more than I can tell you. I suppose about eight years.

Q. Do you know how many tracts were thus changed to Woodward Township?—A. No, sir.

Q. Do you know anything about the change except what you have been told by others?—A. No, sir.

Q. Where did you live before you lived in that house where you lived on November 5, 1878?—A. I lived on the other side of the line, in Woodward Township.

Cross-examined:

Q. Were you assessed and registered in Woodward Township?—A. Yes, sir.

Q. Have you not been informed by people in that locality that a change was made in a township line between Boggs and Woodward, about thirty years ago or more, by which certain tracts of land were thrown into Woodward Township and taxed there for State and county as well as for all other purposes?

(Objected to as hearsay, and as not cross-examination.)

A. I heard that of the farm on which I live, but not about any other.

Q. Was not that portion of Boggs Township, or the farm upon which you lived last November, annexed to Woodward for election and all other purposes?—A. Yes, sir.

Q. Is this property a part of the Hampton property where you live or does it join it?—A. It is all one.

Q. If that property was annexed to Woodward Township as stated, you lived in Woodward Township, and had a right to vote there, had you not?—A. Yes, sir.

Q. How long have you been acquainted with any persons living on that Hampton tract or farm?—A. Sixteen years.

Q. Have not those persons living on the property you lived on last November always voted in Woodward Township?

(Objected to unless the witness can answer from his own personal knowledge.)

A. Yes, sir, they have; I know that.

Q. Do you know whether or not that property has always been assessed for all purposes in Woodward Township?—A. Well, it has been as far back as I can mind or have heard people talk about it.

Q. Did you vote or attempt to vote on the 5th of November, 1878, in any other election district besides Woodward Township?—A. No, sir.

Q. Were you registered in Woodward Township?—A. Yes, sir.

Re-examined:

Q. Do you know anything about this other change which you speak of having been made about thirty years ago except what you have heard from others?—A. No, sir.

Q. That change only affected the place on which you live, did it not?—A. That is the only place I know; I don't know how many more.

Q. Before that change, and apart from that change, the place on which you live was in Boggs Township, was it not?—A. I guess it was.

Q. Did you pay any State or county tax within two years preceding the general election of November 5, 1878?—A. Yes, sir.

Q. When, and to whom?—A. In October, I think; I have the receipt in my pocket.

(Witness produced receipt dated October 4, 1878, signed by J. G. Higgins, constable.)

Q. Do you swear that you paid those taxes on the date of that receipt, October 4, 1878?—A. The receipt shows it; of course I paid it on that day.

Q. Do you swear that you did not settle those taxes at a later date than the receipt calls for?—A. It was dated back one year, and it was Berry Chase got me to do it to vote for Yocum.

Q. When did you get the receipt dated October 4, 1878?—A. I got that October 4, 1878.

Q. Do you mean to swear that Asbury Chase got you to date back this or any other receipt to vote for Yocum?—A. I hardly know what to answer. It is best not to answer it at all.

Q. We insist upon an answer to this question, and want you to say upon oath whether you meant to swear what you did when you said Asbury Chase got you to date back this receipt to vote for Yocum; and if you did not mean to swear to that, what did you mean?—A. I mean it was dated back, to the best of my knowledge.

Q. Do you mean to swear that the receipt dated October 4, 1878, to which you have referred, was dated back?—A. I paid the tax for 1876 in 1878.

Q. Do you mean to swear that the receipt dated October 4, 1878, was dated back?—A. Would paying a tax of 1876 in 1878 be dating it back? If so, it was dated back.

Q. Did you pay that tax on the day the receipt was dated?—A. Yes, sir; on that day, the 4th of October.

Q. Was there any other date put on the receipt, or did any one request you to put any other date on the receipt besides October 4, 1878?—A. No.

And further saith not.

STACY T. BOWMAN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

WILLIAM BALL sworn.

Question. Where do you reside, and what is your age?—Answer. I live in Beccaria Township, Clearfield County, Pennsylvania. I am forty-seven years old.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—

A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you paid a State or county tax within two years preceding the general election of November 5, 1878?—A. I am not positive.

Q. What is your best recollection?—A. When at the election I did not know when I had paid tax, and from what the collector has told me since I don't think I had paid any within two years.

Q. That is, you mean that you do not think you paid any within two years preceding the election of November 5, 1878?—A. Yes, sir; that is what I mean.

Cross-examined:

Q. To whom did you last pay a State or county tax?—A. Jackson Kinkead, collector.

Q. How long has Jackson Kinkead been collector of State and county taxes?—A. I don't know.

Q. Where were you and Kinkead when you paid him the last tax?—A. I don't recollect.

Q. What season of the year was it, if you can remember?—A. I don't remember anything about it.

Q. Was it after the Presidential election of 1876?

(Objected to, because the witness has already sworn that he does not think he paid any State or county tax within two years preceding the election of November 5, 1878, and also as leading.)

A. I don't recollect.

Q. Did you get a receipt for the tax?—A. No, sir; I very seldom take receipts.

Q. Were you not of the belief at the election of November 5, 1878, that you had paid tax within two years?

(Objected to, because the witness has already sworn that he was entirely ignorant at that time he paid tax.)

A. I was not fully under the impression that I had paid tax; my mind was not fully settled on that.

Q. Was your vote challenged?—A. No, sir.

Q. Was Kinkead at the place where the election was held while you were there?—A. I saw him near the house a short time after I voted.

Q. Did he then tell you you had not paid tax in time to entitle you to vote?—A. No, sir.

Q. When did he tell you?—A. About one hour ago, standing over on the corner.

Q. How did he say he knew you had not paid?—A. He said I had not paid a certain year, and that year would throw it back of the time.

Q. What year did he tell you you had not paid?—A. I don't remember whether he mentioned the year or not.

Q. Was that the first time your attention was called to your alleged non-payment of taxes?—A. Yes, sir; that was the first time.

Q. What is Kinkead's politics?—A. I believe he is a Republican.

Q. How long have you lived in Beccarea Township?—A. About eleven years.

Q. Did you live there the two months immediately preceding the 5th of November, 1878?—A. Yes, sir.

Q. Was you born in the State?—A. Yes, sir.

Q. What property do you own, real or personal, or both?—A. I have a hundred acres of land, a team of horses, some cows, and a lot of personal property; if I had my debts paid I would own them.

Q. Have you paid taxes to anybody else besides Kinkead, and to whom?—A. I have, but I don't recollect who the collectors were.

Q. How long have you been living on this 100 acres of land?—A. About eleven years.

Q. Has it been assessed to you during that time?—A. Yes, sir.

Q. Do you know whether or not you were registered?—A. I am not positive; I think I was.

Re-examined:

Q. When Kinkead spoke to you about your not having paid tax, did he say you had not paid tax in a certain year, or did he say you had not paid tax since a certain year?—A. I am not positive which.

Q. Did he mention the year or simply mention the time, and fix it by some other circumstance?—A. He opened the duplicate, but I can't remember what he did say.

Q. Did he or not say in substance that you had not paid any State or county tax for more than two years preceding the election of November 5, 1878?—A. He did say that in substance.

Q. The last tax you paid was to him, was it not?—A. I think it was, I feel confident.

Recross-examined:

Q. Did you see him mark your tax paid at the time you paid it?—
A. I think not.

Q. If Kinkead had not told you that you had not paid tax within two years, and you had been asked whether you did or not, could you have answered the question?—A. Not positively.

And further saith not.

WILLIAM BALL.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

THOMAS GROOM sworn.

Question. Where do you reside and what is your age?—Answer. In Beccaria Township, Clearfield County, Pennsylvania, and my age is 45 years.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. When had you last paid your State or county tax?—A. Well, the last I mind of was in 1876.

Q. What time in 1876, as near as you can tell?—A. Sometime in October, about the middle of it.

Cross-examined:

Q. Did you take a receipt?—A. Yes, sir; but I have not got it.

Q. On what property have you been assessed within the last two years?—A. George Groom's property.

Q. How much is there of it?—A. Two hundred and eleven acres, I believe.

Q. Do you pay the taxes on that property?—A. Yes, sir; I pay them.

Q. To whom have you paid tax on that property?—A. Jackson Kinkead.

Q. How long have you lived in Beccaria Township immediately preceding the election of November, 1878?—A. I came there in 1845.

Q. Were you registered in Beccaria Township?—A. I expect I was; I don't know.

Q. Was your vote challenged?—A. No, sir.

Q. Was Kinkead at the election house when you were there?—A. I can't say whether he was or not.

Q. To whom else besides Kinkead have you paid State and county taxes?—A. I can't tell you that; to whoever was collector before him.

Q. At what place did you last pay Kinkead?—A. On my porch at home.

Q. Has he since that time when you paid him on your porch asked you for tax?—A. I don't believe he has that I know of.

Q. Did you ever pay Kinkead State or county taxes for which you took no receipt?—A. He never gave me any receipt.

Q. Who gave you the receipt which you have or had and which you spoke of a little while ago?—A. John G. Glasgow gave it to me from Kinkead.

Q. Do you know William Ball, and has he lived in Beccaria Township, and how long?

(Objected to as not cross-examination.)

A. Yes, sir; I know him; he has lived in Beccaria a year or more.

Q. How much tax did you pay Kinkead at your home at the time you spoke of?—A. Eight or ten dollars; I forget exactly.

Q. What arrangement had you with George Groom in regard to the payment of taxes assessed on the property on which you live?—A. He told me to go on the place and pay the taxes, and keep it up; he is my father.

Re-examined:

Q. Does your father own that place?—A. Yes, sir.

Q. Is it not assessed in his name and to him?—A. Yes, sir.

Q. Then when you were asked if this property was assessed to you did you mean it was?—A. I meant it was assessed to George Groom: And further saith not.

THOMAS GROOM.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
F. O'L. BUCK, *Amanuensis*.

JAMES PATTERSON sworn.

Question. Where do you reside, and what is your age?—Answer. In Beccaria Township, Clearfield County, Pennsylvania; my age is about 56.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. I think I voted for Andrew G. Curtin.

Q. Had you paid a State or county tax within two years preceding the election of November 5, 1878?—A. I gave my boy some money to go down and pay his own taxes and mine; he came back and told me it was all right; and then I examined the duplicate afterwards to see how much was back, and there was some money credited, and my wife she sent some money too, and then there was no credit there for me, and I don't know whether it was all applied to his and my wife's or not, but that was all we had credit for; I had no credit for mine at all; it was only a short time ago that I was looking at the duplicate. I did not see how it was paid or anything.

Q. You don't know whether it was paid or not?—A. No, sir; I did not pay it; I don't know; he did not take any receipt.

Q. You have seen from the duplicate that you have no credit for the payment of that tax?—A. Yes, sir.

Q. Has not the collector also told you that it was not paid?—A. I think maybe he did.

Q. Have you paid any other State or county tax within two years preceding the general election of November 5, 1878?—A. No, sir; not to my knowledge.

Cross-examined:

Q. Did you give your son enough money to pay your own State or county tax?—A. Well, I don't know; I don't remember how much money I gave him or how much the tax was at that time. I did not know, I mean, at that time how much the tax was.

Q. What is your son's name to whom you gave this money?—A. Martin Christian D. Patterson.

Q. When was it that you gave him this money to pay his own and your taxes?—A. I don't know whether I can tell you or not; it was

some time previous to the time when there was some talk that your taxes must be paid thirty days before the election.

Q. Was this more than thirty days before the election?—A. I think it was if I remember right.

Q. To whom were these taxes to be paid?—A. Jackson Kinkead, collector.

Q. Was the money sent by you with your son for the reason that you wanted to pay them so you could vote?—A. That was one reason, and because I owed them and would have them to pay anyhow.

Q. Can you tell for what year those taxes were assessed?—A. I ain't sure whether they were 1876 or 1877. I owed on both duplicates.

Q. When or how long before that time at which you sent the money by your son was it that you had paid any State or county tax?—A. I don't know whether I can say that. I think about the time the treasurer was around; I generally paid my taxes to him.

Q. Who was the treasurer that you last paid tax to?—A. I think Wilson was his name. I ain't sure.

Q. When your son received the money from you, what did you say about what tax was to be paid by it?—A. I don't remember that I mentioned what tax. I intended it for State and county tax.

Q. Was it to pay your own tax or somebody else's?—A. I don't know that I told him who, but I intended it for my own.

Q. What did your son say when he returned?

(Objected to as hearsay.)

A. If I remember right, he said it was all right.

Q. Was your vote challenged?—A. Not that I remember of. I don't think it was.

Q. How long had you lived in Beccaria Township immediately prior to the 5th of November, 1878?—A. In the neighborhood of nine or ten years.

Q. Where were you born?—A. In Pennsylvania.

Q. Did you read your ticket?—A. Well, I generally do; but I am not certain whether I did that one or not; but I think I did.

Q. From whom did you get it?—A. I think it was William Dotts.

Q. Was the money you sent your own or your wife's?—A. The boy and me had some, and he took it down.

Q. Then it was not her money to be applied to pay the taxes upon her property?—A. Not at that time. There was money sent at another time to pay on her property. She sent that herself.

Q. Do each of you own real estate?—A. The real estate belongs to my wife. I pay on personal property.

Q. What personal property were you assessed with upon which this tax was due?—A. A horse and a cow. I had a wagon, but they did not assess it. I don't know whether the cow was assessable or not.

Q. Can you not give us an idea of the amount of money you sent by your son?—A. I don't think it was over a dollar. I ain't sure.

Re-examined:

Q. When did that horse die, as near as you can tell?—A. About two years before the election of November 5, 1878.

Q. Do you know, or did you know at the time you sent the money, how much the tax was?—A. No, sir; I did not.

Q. You had paid no other tax within two years preceding the election of November 5, 1878?—A. I think I paid all my taxes up to the present duplicate in Mr. Kinkead's hands.

Q. Had you paid any other State or county tax within two years preceding the election of November 5, 1878?—A. No, sir; I think not.

And further saith not.

JAMES PATTERSON.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

JOHN BURKE sworn.

Question. Where do you reside and what is your age?—Answer. Beccaria Township, Clearfield County, Pennsylvania. I am forty-two this spring.

Q. Did you vote in the election district of Beccaria Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at that election?—A. Andrew G. Curtin.

Q. When had you last paid a State or county tax?—A. I can't tell whether it was in 1876 or 1877. Some time that winter.

Q. Was it before or after the Presidential election of 1876?—A. I can't tell whether it was before or after for certain.

Q. What is your recollection?—A. I cannot tell.

Q. To whom did you last pay a State or county tax?—A. To Jackson Kinkead.

Q. Can you tell what year you last paid tax in?—A. No, sir; I cannot.

Q. Can you tell whether you paid any State or county tax within two years preceding the general election of November 5, 1878?—A. I cannot tell.

Cross-examined:

Q. You think it was some time during the winter of 1876 and 1877 that you paid the State and county tax already referred to to Jackson Kinkead?

(Objected to for the reason that the question assumes that the witness has sworn to what he has not sworn to, he not having testified as stated in this question.)

A. Yes; that is correct.

Re-examined:

Q. Do you swear what winter it was you paid that tax?—A. I could not swear what winter it was; it was some time in 1876 or 1877.

Q. Do you remember what month of the year you paid those taxes?—A. No, sir; I do not.

Q. Was it in the first months or the last months of the year?—A. I cannot tell.

Q. You were asked the question whether you had paid the tax in the winter of 1876 and 1877; your answer was, "That is correct"; do you mean to say that it was in the winter of 1876-'77, or that it was in the winter of one of those two years?—A. It was 1876 or 1877, one of those two years.

And further saith not.

JOHN BURKE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

GEORGE W. DEWALT sworn.

Question. Where do you reside, and what is your age?—Answer. In Beccaria Township, Clearfield County, Pennsylvania; I was twenty-four on the 12th of November last.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Well, I can't tell you exactly who it was; I could not be certain.

Q. Did you vote for Andrew G. Curtin or for Seth H. Yocum; which one of the two, according to the best of your knowledge and recollection?—A. It was Curtin, I guess, to the best of my knowledge.

Q. Where did you get your ticket?—A. I can't tell you.

Q. From whom did you get your ticket?—A. I don't remember who.

Q. Did you read your ticket?—A. I don't know whether I did or not; I generally do; I think I did.

Q. When did you last pay a State or county tax?—A. I only have a receipt for October 6, 1876; but there was tax paid by John G. Glasgow or my father to Samuel Hegarty for me.

Q. When was the tax paid for which you have a receipt dated October 6, 1876; was it paid on that day?—A. I suppose so, or it would not be dated that day; my recollection is it was paid on that day. Glasgow paid that tax when I was away; so I cannot be sure, either.

Q. When did you get that receipt?—A. I think I got it the day before the election of 1876; the receipt was from Jackson Kinkead.

Q. Was that the payment of tax on which you voted at the Presidential election of 1876?—A. It was.

Q. Do you believe it was paid in time to enable you to vote; that is, at least one month before that election?—A. Yes, sir; I believe it was paid the last day before the thirty days before the election of 1876.

Q. When was this tax paid to Samuel Hegarty by Glasgow or your father, if you know?—A. I don't remember; and I don't know it was paid at all.

Q. If paid at all, was it before or after this other payment of tax on October 6, 1876?—A. It was after.

Q. You don't know when, or whether it was paid at all or not?—A. No, sir.

Q. Did you vote the Democratic or Republican ticket at the general election of November 5, 1878?—A. I don't remember; it was not a full ticket, either Republican or Democratic.

Q. Who did you intend or want to vote for for Congress, Curtin or Yocum?—A. I wanted to vote for the best man; I don't know which; I suppose, though, it was Curtin.

Q. Did you or did you not think you were voting for Curtin?—A. I cannot remember; it has been so long ago I don't remember what it was at the time.

Q. I understand you to swear that according to your best knowledge and recollection you think you voted for Curtin?

(Objected to for the reason that the witness has already sworn that he does not know for whom he voted for Congress; the question is therefore unfair to the witness, it assuming that he has not so answered it.)

A. I do.

Q. What are your father's politics?—A. They are Democratic, I think; he changes sometimes.

Q. Did he vote the Democratic or Republican ticket at the election of November 5, 1878, according to the best of your knowledge?

(Objected to as hearsay, and for the reason his father is living and would be a competent witness, and can be produced if required.)

A. I don't know anything about it.

Cross-examined :

Q. You cannot swear positively for whom you voted for Congress at the general election of November 5, 1878?—A. No, sir; I cannot.

Q. It may have been for Seth H. Yocum, may it not?—A. Yes, sir; it may have been.

Re-examined :

Q. Do you think it is likely that you voted for Yocum?—A. No, sir; I don't think it is.

Cross-examined :

Q. There is a probability, however, that you voted for Seth H. Yocum, is there not?—A. Well, I don't know.

Re-examined :

Q. Do you swear that there is any probability that you voted for Yocum?

(Objected to, for the reason the witness has already answered the question.)

A. Well, it might be that I voted for Yocum.

Q. Have you any reason to believe that you voted for Yocum?—A. No, sir; I have no reason to believe that I voted for Yocum or Curtin either.

Q. Which one of the two do you answer upon oath that you believe that you voted for?

(Objected to for the reason that the witness has been asked, and answered that "he could not tell exactly which one.")

A. Well, I believe I voted for Curtin, according to the best of my knowledge.

And further saith not.

Attest:

[SEAL.]

GEO. W. DEWALT.

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

PETER RISEL sworn.

Question. Where do you reside and what is your age?—Answer. Beccaria Township, Clearfield County, Pennsylvania; my age is forty-three, past.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. To whom did you last pay any State or county tax?—A. To John G. Glasgow.

Q. Was he to pay the collector?—A. He did pay the collector.

Q. What collector?—A. Jackson Kinkead.

Q. Do you know when he paid him of your own knowledge?—A. No; I don't know anything about that.

Cross-examined :

Q. Did or did you not pay a State or county tax in 1877 for the year

1876, to the best of your knowledge?—A. To the best of my knowledge it was paid by Glasgow in 1877.

Q. You paid Mr. Glasgow, did you?—A. Yes, sir.

Q. Did you or did you not believe that when you voted at the general election of November 5, 1878, that you had paid a State or county tax within the time required by law, and at least one month before said election?—A. Kinkead came to me and told me my taxes were paid. Glasgow also came to me and told me my taxes were paid, and I was entitled to a vote.

Q. Was your vote challenged, or was there any objection made by the board to receiving your vote at said election?—A. No, sir.

Re-examined:

Q. Was the payment of the 1876 tax by Glasgow, which you say in cross-examination you think was paid in 1877, the same payment of tax to which you referred in your examination-in-chief as the last State or county tax you had paid?—A. Yes, sir.

Q. Was that (if paid within two years preceding the general election of November 5, 1878) the only State or county tax that you had paid within two years preceding the election of November 5, 1878?—A. No, sir. I paid other State and county tax within two years, which would entitle me to vote.

Q. To whom did you pay any other State or county tax?—A. G. W. Caldwell, the doctor.

Q. Was he collector of State and county tax?—A. Yes, sir; I think he was.

Q. Do you not know that Dr. Caldwell was the district treasurer of Beccaria Township, who collected the school and poor tax, and that he had nothing to do with collection of State and county taxes?—A. I think he had. I know he has collected State and county taxes, but I do not know whether it was within the two years or not.

Q. Then you do not swear that you paid Dr. Caldwell any State or county taxes within two years preceding the general election of November 5, 1878, do you?—A. I do, if he was collector. I think he was. They have no taxes back of 1876. They don't let people live in Clearfield County long without paying taxes. Somebody must have got them.

Q. Do you swear that you paid Dr. Caldwell any State or county tax within two years preceding November 5, 1878?—A. I don't think I did, to Dr. Caldwell.

Q. Did you, within those two years, pay a State or county tax to any one else, except the tax of 1876, which you think Glasgow paid in 1877?—A. No; I don't think I did.

Q. Then I understand you to state that with the exception of the 1876 tax, which you think Glasgow paid in 1877 to Kinkead, you paid no other State or county tax within two years preceding the general election of November 5, 1878, that you remember of?

(Objected to, for the reason that the witness has already answered the question when he stated that he may have paid a State or county tax to Dr. Caldwell.)

A. In paying my taxes I never take a receipt; sometimes I pay State, county, and school altogether; I don't remember of paying any tax; I might have paid it; I cannot answer that question definitely.

Q. If you did pay any other State or county tax during those two years, to whom did you pay it?—A. I can't recollect that.

Q. Who collected the State and county tax during the three years

preceding the election of November 5, 1878?—A. I can't tell you that, exactly.

Q. Have you any recollection of paying any other State or county tax during the two years preceding November 5, 1878, than that paid by Glasgow, which you think was paid in 1877?

(Objected to, as the witness has repeatedly answered the question already.)

A. I answer that I have paid tax, but I cannot swear it was State or county tax.

Q. To whom did you pay the other tax during those two years?—A. Jackson Kinkead and Caldwell both, but what it was I cannot tell you.

Cross-examined:

Q. Do you own any real estate, and, if so, how much, and where situated?—A. I don't now.

Q. Have you within the last two preceding years been the owner of any real estate?—A. Yes, sir.

Q. Where is it situated?—A. In Beccaria Township, Clearfield county, Pennsylvania.

Q. To whom was this real estate assessed during the period within the last two years, while you were the owner?—A. It was assessed to me.

Q. By whom were the taxes paid upon this property during this period?—A. By me.

Q. Why can you not tell how these taxes were paid, and when?—A. Because sometimes I would give the collector \$10, and tell him to credit it on my taxes, and sometimes I would give him an order on a man for five or ten dollars.

Q. Do you usually take a receipt when you pay your taxes?—A. No, sir; I never took a receipt in my life.

Q. Has Jackson Kinkead told you within the last two years, immediately preceding the 5th of November, 1878, that your taxes were paid?—A. Yes, sir; my State and county taxes.

Q. Was this some time during the year 1877 or 1878?—A. It was, I think, during 1877, and for the year 1877, to the best of my knowledge.

Q. If Dr. Caldwell was collector of State and county taxes, may you not have paid State and county taxes during 1877 or 1878 that were assessed two or more years preceding that time?—A. I may have paid it to him.

Re-examined:

Q. What time during the year 1877 did Kinkead tell you your taxes were paid?—A. If I remember right it was on the day of the election.

And further saith not.

PETER RISEL.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
T. O'L. BUCK, *Amanuensis*.

S. C. SHOFF sworn.

Question. Where do you reside, and what is your age?—Answer. Beccaria Township, Clearfield County, Pennsylvania; my age is thirty-six.

Q. Are you known by the name of Sides Shoff?—A. Yes, sir.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. To whom did you last pay any State or county tax?—A. To Jackson Kinkead.

Cross-examined:

Q. You are usually known as Sides Shoff?—A. Yes, sir.

Q. Are you known by any other name?—A. I sign my name S. C. Shoff.

Q. Have you paid a State or county tax which was assessed more than two months and paid at least one month before the election of November 5, 1878, and within two years of said election?—A. I paid a tax in 1876, some time in October. The next tax, it appears, Kinkead has not credited me with it. He got some corn from me, \$10 worth. He was to give me a school order for it, but did not; so I told him to credit it on my State and county taxes, and he agreed; that is, he said he would try and do that.

Q. During what year did he make this arrangement with you?—A. He made this arrangement in the summer of 1877.

Re-examined:

Q. Did not Kinkead say that he would credit this corn on your taxes if he could?—A. Yes; I will tell you he said this: "I will leave this stand back. I will try and credit this on those taxes." My idea was, and until lately, that it was so credited.

Recross-examined:

Q. Jackson Kinkead is the collector of State and county taxes for the township in which you live, is he not?—A. Yes, sir.

Q. Were you of the opinion, until lately, that the bargain had been closed and the taxes paid at the time of the general election held November 5, 1878?—A. Yes, sir.

And further saith not.

S. C. SLOFF.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

WHITFIELD EDDY sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is forty-one years.

Q. Where were you born?—A. In England.

Q. When were you naturalized?—A. Four years ago last September.

Q. Are you married?—A. Yes, sir.

Q. Have you, your wife, and family resided in Woodward Township, Clearfield County, Pennsylvania, for the last two years or more?—A. Seven years we have resided there.

Q. Had you paid a State or county tax within two years preceding the election of November 5, 1878, and at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election of November 5, 1878, in Woodward Township?—A. Yes, sir.

Q. Is that in the Woodward Township election district, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to because it is a question of privilege, and the witness need or need not answer, at his pleasure.)

Counsel for contestee protests against this objection, first, because if a question of privilege, it avails only the witness and cannot be urged by contestant; second, because counsel for contestant, in the examination conducted during the development of contestant's case in chief, while attempting to prove illegal votes cast for contestee, upon a witness's refusal to testify, alleging as the ground thereof that he could not be compelled to testify for whom he voted until his vote was proven illegal, solemnly stated, and requested the notary public to take such solemn statement in writing and place it upon the record as a part of the proceedings in this case, that it was his opinion that under the law governing such cases the witness was compelled to testify, and thereupon requested William Radebaugh, the notary public before whom that examination was and this examination is conducted, to instruct the witness to answer, which instruction was given, and the witness answered, notwithstanding his first expressed determination not to answer.)

A. Seth H. Yocum.

Q. To whom did you pay said State and county tax, and when?—A. Mr. Thomas Henderson, August 27, 1878.

Q. Was Thomas Henderson the collector of State and county taxes for Woodward Township?—A. I understand so, or else I would not have paid it to him.

Cross-examined:

Q. Where did you say you were born?—A. England.

Q. How long have you lived in this country?—A. Ten years come June.

Q. How long have you lived in Pennsylvania?—A. Eight years.

Q. How long have you lived in the Woodward election district?—A. seven years come next May.

Q. Did you pay the State and county tax alluded to in your previous answer yourself?—A. Yes.

Q. How do you know you paid it on the 27th day of August, 1878?—A. I have the proof by the receipt.

Q. Have you the receipt with you?—A. Yes.

Q. Look at the dates of those receipts and tell me what they are?—A. August 27, 1878; signed, Thos. Henderson. I have also another receipt from the county treasurer for State and county taxes which I paid, dated May 21, 1877; signed, D. McGaughery, county treasurer.

Q. Have you your naturalization papers with you?—A. Yes, sir; here they are (witness produces them).

Q. Did you show this certificate of naturalization to the election officers of the Woodward election district when you offered to vote on the 5th of November last?—A. No.

Re-examined:

Q. Was your name on the registry-list?—A. Yes.

Q. Had you resided in the election district of Woodward continuously with your family for over six years preceding that election?—A. No.

Q. How long had you resided in Woodward district continuously with your family immediately preceding that election?—A. Five years.

Q. Was your vote challenged?—A. No.

Q. Were you well known to the officers of the election board?—A. Yes.

Recross-examined:

Q. Had you voted in the Woodward election district five consecutive years after obtaining your papers of naturalization?—A. No, sir.

Q. How do you know your name was upon the list of voters of the Woodward election district—I mean on the registry-list?—A. Just through the collector, when I paid the State and county tax.

Re-examined:

Q. Will you look on the back of your naturalization certificate and say what you find indorsed there?—A. Yes; and I find indorsed “voted at Woodward November 5, 1878.”

Q. From this indorsement, do you not now think that you did produce your naturalization papers at the election of November 5, 1878, or do you think you did not?—A. Yes; when I come to consider, I presented his with my tax-receipt.

And further saith not.

WHITFIELD EDDY.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED’K. O’L. BUCK,
Amanuensis.

A. J. GOSS produced and sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is 55 on September 7 last.

Q. Where were you born?—A. In Decatur Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Have you, your wife and family, or not, resided in Woodward Township continuously for the last two years or more?—A. Yes, sir; for seven years.

Q. Had you or not paid a State or county tax within two years preceding November 5, 1878, and at least one month preceding November 5, 1878?—A. Yes, sir; I paid it.

Q. To whom and when did you pay such tax?—A. To Joseph Higgins, in July, 1878.

Q. Did you or did you not vote in said Woodward Township at the general election held November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for Congress at said election?

(Counsel for contestant requests counsel for contestee to state the purpose for which the last above-mentioned question is asked, as the legality of witness’s vote has not been called in question.

Counsel for contestee asks the question and asks an answer.

Counsel for contestant objects to the question, because it is an improper one, which counsel has no right to ask or witness to answer until it shall have been first proven that witness’s vote was illegal, which has not been done in this case.)

A. For Seth H. Yocum.

Cross-examined:

Q. From whom did you get your ticket on the day of the election of November 5, 1878?—A. From John M. Chase.

Q. Did you read your ticket carefully before voting it?—A. Yes, sir. I asked Mr. Chase for a ticket and then I looked over it.

Q. Who was on the ticket for sheriff?

(Objected to, because there was no such candidate. Question withdrawn.)

Q. Who was upon the ticket for member of the legislature?—A. I

told Mr. Chase I wanted to vote for Yocum, and he gave me a ticket; then I looked on the ticket and saw Yocum's name was on it.

Q. Who was upon your ticket for county commissioner?—A. I told Mr. Chase I wanted a ticket. I wanted to vote for Yocum, and did not care for the balance of the ticket. He gave me a ticket, and I saw Yocum's name on it, and I did not look at the balance.

Q. Was Yocum's name written or printed on the ticket?—A. It was printed on it.

Q. Did you get a receipt when you paid your tax as July, 1878?—A. I did not.

Q. How do you fix the time when you paid your tax as July, 1878?—A. Why, Joseph Higgins came to our place for tax, and I was mowing.

Q. Was Joseph Higgins the tax collector?—A. Yes, sir.

Re-examined:

Q. Did you vote the ticket which Chase gave you, which ticket had Yocum's name on it for Congress?—A. Yes, sir.

And further saith not.

A. J. GOSS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED O'L. BUCK,
Amanuensis.

CHARLES BAKER sworn.

Question. Where do you reside?—Answer. In Decatur Township, Clearfield County, Pennsylvania.

Q. Did you vote at the general election of November 5, 1878, in the election district of Decatur Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Counsel for contestant requests counsel for contestee to state the purpose for which the above question is asked.

In reply to which, counsel for contestee stated that the purpose is to sustain the facts alleged in contestee's answer and counter-charges served upon contestant in that part of said answer and counter-charges which relates to Decatur Township election district, Clearfield County Pennsylvania. Counsel for contestant objects to this line of examination, because contestant's notice of contest contains no charge against the legality of witness's vote, and until it shall have been proven that witness's vote was illegally cast it is improper, and one which counsel for contestee should not ask nor witness answer.

Counsel for contestee protests against this objection, and also objection of like character to like question asked the witness A. J. Goss, for the reasons stated in protest to like objection in the examination of Whitfield Eddy.)

A. Andrew G. Curtin.

Q. When did you last pay a State or county tax, and to whom?—A. On the 13th of September, 1878, to P. B. Zentmyre; I have here a receipt dated September 13, 1878, for that tax, signed by Levi Goss, collector.

Q. Who gave you that receipt?—A. E. P. Zentmyre, the man to whom I paid the tax.

Q. Was P. B. Zentmyre the collector of State and county taxes for Decatur Township?—A. No, sir.

Q. Do you know when these taxes were paid to Levi Goss, the collector, or whether they were paid to him at all?

(Objected to, because the receipt produced by witness is the best evidence as to the payment of witness's taxes.)

A. I don't know.

Cross-examined:

Q. Who is P. B. Zentmyre?—A. Superintendent of the Moshannon Coal Company.

Q. Were you in his employ on the 13th of September, 1878?—A. Yes, sir.

Q. How long had you been in his employ previous to that time?—A. I can't tell you exactly; over three years.

Q. Is Mr. Zentmyre in the habit of paying the taxes of his employés, taking receipts in their names, and settling for the same with his men at the regular pay-day?—A. No, sir.

Q. Did you authorize P. B. Zentmyre to pay your taxes?—A. He said, Charley, I have a tax-receipt for you, do you want to pay it? I said yes, sir; and I paid it then the day he spoke to me about it.

Q. What was the date you paid Mr. Zentmyre the tax, and received from him the receipt?—A. The 13th of September, 1878.

Q. Then you had paid a State or county tax within two years, or more than one month prior to the 5th day of November last?—A. Yes, sir.

Re-examined:

Q. Had you paid any other State or county tax within two years preceding the election of November 5, 1878, except that paid Zentmyre as stated?—A. No, sir.

Recross-examined:

Q. At the time you got the receipt from Mr. Zentmyre did you know that Levi Goss was collector of State and county taxes for Decatur Township?—A. No, sir; not till after I got the receipt.

Q. Were you satisfied more than one month before the 5th of November, 1878, that Levi Goss, whose receipt you held, was collector of State and county taxes for Decatur Township?—A. Yes, certainly.

Re-examined:

Q. When did you first learn that Levi Goss was collector of State and county taxes for Decatur Township?—A. When I got his receipt.

Q. Had you any other knowledge of it except his name on the receipt?—A. No, sir; not exactly.

And further saith not.

CHARLES BAKER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED. O'L. BUCK,
Amanuensis.

JOHN KELLER sworn.

Counsel for contestant objects to the examination of this witness for the reason that contestee's notice of the examination of witnesses at the Centennial Hotel in the borough of Houtzdale does not contain witness's name.

Counsel for contestee answers this objection by stating that full and complete notice was given of John Kelley, and that and the name of the witness are *idem sonans*, and sufficient notice under the act of Congress.

Question. Where do you reside, and what is your age?—Answer. In Decatur Township, Clearfield County, Pennsylvania, and am 35 years old in June.

Q. Did you vote in the election district of Decatur Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to because this is a question of privilege, and the witness may either answer or decline to answer as he may see fit.

Counsel for contestee protests against this objection for same reasons as stated in protest to like objection to like question asked Whitfield Eddy.)

A. For Andrew G. Curtin.

Q. When did you last pay a State or county tax?—A. I have the receipt; it is dated October 2, 1878, and signed by Levi Goss, collector.

Q. To whom did you pay that tax?—A. To P. B. Zentmyre.

Q. Did you pay him on the day that receipt is dated?—A. I think so.

Q. Had you paid any other State or county tax within two years preceding the election of November 5, 1878?—A. I believe I did.

Q. When and to whom?—A. I paid it to Levi Goss; I cannot tell when, but think it was within two years.

Q. Was it before or after the Presidential election of 1876, when Tilden and Hayes were candidates?—A. I think it was before.

Q. About how long before?—A. Indeed I could not tell; it must have been over thirty days, though.

Q. Was it paid in legal time to vote at that election of 1876?—A. I think it was.

Q. Was it the payment of tax upon which you voted at that Presidential election?—A. I think it was.

Q. Have you paid any other State or county tax since that tax except what you paid P. B. Zentmyre as stated?—A. I don't think I did.

Q. Was P. B. Zentmyre the collector of State and county taxes for Decatur Township when you paid him these taxes on October 2, 1878?—A. He was not collector, but the collector left the receipts with him to collect.

Q. Do you know when your tax was paid by him to the collector, Levi Goss, or whether they were paid at all to Levi Goss?

(Objected to because the receipt produced by the witness on the stand, dated October 2, 1878, and signed by Levi Goss, collector, is the best evidence of both the time and the payment of the tax.)

A. I could not tell when it was paid, more than he said on Saturday when he subpoenaed me that he had got tax from P. B. Zentmyre for me.

Q. Do you mean last Saturday?—A. Yes, sir.

Q. Outside of that statement made by Goss last Saturday, have you any knowledge as to whether those taxes were paid him at any time?—

A. The way he talked they ought to be; outside of that I have not.

Cross-examined:

(Counsel for contestant proceeds to cross-examine, reserving all legal exceptions to the sufficiency of the notice of the examination of witness, the notice of the examination of John Kelley so completely disguising the identity of John Keller as to deprive contestant of that legal notice guaranteed him by the act of Congress governing contested elections.)

Q. Who is P. B. Zentmyre?—A. Superintendent of the Moshannon Coal Company.

Q. Are you in his employ?—A. Yes, sir.

Q. Did you pay P. B. Zentmyre the amount of tax named in the re-

ceipt now in your possession and produced by you upon the stand, and if so, when?—A. I paid him on the 2d of October, 1878, when it is dated.

Q. When you paid P. B. Zentmyre and received said receipt, did you know that Levi Goss was the collector of State and county taxes for Decatur Township?—A. Yes, sir.

Q. Then you had paid a State and county tax within two years and more than one month prior to the 5th of November, 1878?—A. I think so.

Q. Don't you know that you paid such tax?—A. I think I did. It has been so long I can't tell for sure.

Re-examined:

Q. Was P. B. Zentmyre a Democrat or a Republican?—A. I guess he was a Democrat.

Q. Can you swear that the taxes paid Zentmyre were paid him by you on October 2, 1878, the date of the receipt?

(Objected to because the witness has answered the question before.)

A. Yes, sir.

Q. Are you sure you paid him that day?—A. Yes, sir.

Q. Did you see Zentmyre write the date on that receipt when you paid him the tax, or was the receipt dated as well as written and signed by Goss before that?—A. I did not see him put the date on the receipt he gave me, and that is all I know about it.

Q. Had he the receipt before you paid him the tax?—A. I could not tell you that.

Q. Did he hand you the receipt before you paid him the money, or at the same time?—A. About the same time.

Q. Where were you when you paid him the money?—A. It was in the post-office.

Q. Did he tell you he had the receipt before you paid him the money?—A. Yes, sir; he told me he had the receipt for my tax there.

Q. Was Levi Goss there that day?—A. I could not tell you that; he might have been there.

Q. Have you any recollection of seeing him there that day?—A. No, sir; I have not.

Q. How far did Levi Goss live from that place?—A. That's more than I can tell you. I don't know where he lives.

Q. When Zentmyre handed you this receipt, had he in his possession other receipts signed and dated by Levi Goss?—A. I think he had; there were some others got their receipts that same day.

Q. What day of the week was it you paid Zentmyre?—A. I think it was on Saturday.

Q. What makes you think it was Saturday?—A. Because it was pay-day.

Q. What time of the month does pay-day come?—A. The nearest Saturday to the 15th.

Q. Are you, then, not mistaken when you swear that you paid this tax to Zentmyre on the 2d day of October, 1878?—A. I think not.

Q. About what day of the month was pay-day in October last?—A. I could not tell you that. It comes the nearest Saturday to the 15th.

Q. Could that have been October 2, 1878?—A. It could have been and it might not have been. Some days pay-day comes on the 15th and sometimes a day or two over either way.

Q. You have sworn that you paid this tax to Zentmyre on Saturday; the receipt is dated October 2, which was Wednesday; are you not, then, mistaken in saying you paid it on the date of the receipt?—A. I don't know; not that I know of.

Q. Here is an almanac for the year 1878; will you please consult it, and state what day in October was pay-day? (Witness consults almanac.)—A. Pay-day came in October on Saturday, the 12th.

Q. Was not October 12th, 1878, the day you paid Zentmyre that tax?—A. It must have been according to that.

Q. Were you not, then, innocently mistaken in saying you paid it on October 2, 1878, and were you not misled by the date on the receipt given you by Zentmyre?—A. I must have been, I guess.

Cross-examined:

Q. Was not Zentmyre the agent of Levi Goss, the tax-collector of Decatur Township, for the collection of the taxes of the men employed in the Moshannon mines?—A. Not that I know of he was not.

Q. Are you certain you paid Zentmyre your tax on Saturday?—A. Yes, sir.

And further saith not.

JOHN KELLER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED. O'L. BUCK,
Amanuensis.

Adjourned at 11.25 p. m. to meet at 8 o'clock a. m. next day, March 21, 1878.

GEORGE GOULD sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 49.

Q. Where were you born?—A. England.

Q. Have you been naturalized?

(Counsel for contestant objects to the question because it is not competent to prove naturalization by parol proof; witness must either produce certificate of naturalization or a certified copy of record of the court in which he was naturalized.)

A. Yes.

Q. When?—A. I don't remember; I can't tell.

(Counsel for contestant objects to any and all questions for the proving of naturalization by parol proof.)

Q. About how many years ago?—A. I don't know; I can't remember; I can produce the papers if necessary; it was over five years ago.

Q. Were you or not naturalized more than five years before the election of November 5, 1878?—A. I was certainly.

Q. Are you married?—A. Yes, sir.

Q. Did you, your wife and family reside in the election district of Woodward Township continuously for more than one year preceding November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax?—A. Yes, sir.

Q. Had you paid such tax at least one month before November 5, 1878, which was assessed at least two months before?—A. I don't know exactly; I paid my 1878 taxes before I paid my 1877.

Q. Have you a receipt and will you give date of payment from your receipt of your State and county tax for 1878?—A. Yes, sir; January 24, 1878.

Q. To whom did you pay such tax?—A. Thomas Henderson, collector.

Q. Had you voted in Woodward Township for five years and more preceding November 5, 1878?—A. No, sir.

Q. Where were you naturalized; in what court?—A. In Huntingdon County.

Cross-examined:

Q. Where were you born?—A. England.

Q. How long have you lived in this country?—A. I came to this country in 1863.

Q. How long have you resided in Pennsylvania?—A. Sixteen years.

Q. How long have you resided in Clearfield County?—A. Five years.

Q. How long had you resided in the election district of Woodward Township previous to November 5, 1878?—A. Two years.

Q. Have you your naturalization papers with you?—A. Yes, sir; (naturalization papers produced.)

Q. Did you show this certificate of naturalization to the election officers of Woodward Township when you offered your vote on the 5th of November, 1878?—A. No, sir.

Re-examined:

Q. Did you vote in Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to because it is an improper question which counsel for contestee has no right to ask or witness to answer.)

A. I don't know the names of all I voted for; for Congress I voted for Yocum.

Q. Had you voted before in Woodward Township?—A. Yes, sir.

Q. Had you produced your naturalization papers before to the election board of Woodward Township?—A. I could not say; I don't know; I had to part of the board previous to the election.

Q. Were the election board or any of them acquainted with you, and did they not know or did they that you had been naturalized?—A. Yes, they did know it.

Recross-examined:

Q. Had you for five consecutive years voted in the election district of Woodward Township, and did you each time you voted produce before the proper election officers your certificate of naturalization as required by law?—A. No, sir; I did not vote five years in succession; I did not so produce the papers; I think not.

Q. Was your vote challenged on the 5th of November last?—A. Yes, sir.

Q. Were you interrogated by the election board as to whether you were naturalized or not?—A. I was sworn as to my taxes, not as to my naturalization papers; I was called in by the board and sworn as to my taxes; there were no questions asked me about my naturalization papers.

Re-examined:

Q. I understand you to say, do or do I not, that the board knew that you were naturalized and you were simply required to make proof of payment of taxes?

(Counsel for contestant objects to the question because witness has just sworn that he did not produce his certificate of naturalization before the board, and therefore they could have no legal knowledge as an election board of witness's naturalization, the knowledge of the board

as individuals not being available as competent proof of witness's naturalization.)

A. Yes, sir.

Recross-examined :

Q. From whom did you get your ticket on the day of election, November 5, 1878?—A. John Trueman.

Q. Is John Trueman a Democrat, Republican, or National Greenbacker?—A. A Republican.

Q. Did you read your ticket carefully before voting it?—A. Yes, sir.

Q. For whom did you vote for county commissioner?—A. I don't remember his name.

Q. For whom did you vote for county treasurer?—A. I don't remember.

Q. For whom did you vote for member of the assembly?—A. I don't remember.

Q. Have you had any conversation with any person, either before or since you were subpoenaed as a witness in this case, in relation to how you had voted for Congress?—A. No, sir.

Q. Have you ever told any person before coming here upon the witness stand that you had voted for Yocum for Congress?—A. Yes, I have said that I voted for Yocum.

Q. How do you know you voted for Yocum for Congress?—A. For this reason, that the biggest contest was between those parties, make me remember it, and I could read the ticket for myself.

And further saith not.

GEORGE GOULD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

D. C. HENSAL sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am forty-five years old.

Q. Where were you born?—A. In Adams County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Had you, your wife and family, resided in the election district of Woodward Township continuously for one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I have.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir, I had; I paid about \$115 about the 15th of last September.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for Congress at said election.

(Objected to because it is an improper question and one which counsel for contestee should not ask nor witness answer.)

A. If my memory serves me right it was for Seth H. Yocum.

Q. Are you or are you not certain that you voted for Seth H. Yocum for Congress?—A. I am certain I did.

Q. Are you or not well acquainted with localities and distances in said Woodward Township?—A. Yes, sir.

Q. Were or were not William Luther and J. M. Lehman justices of

the peace for and residing in Woodward Township on November 5, 1878?—A. Yes, sir; they were.

Q. At whose house was the election held in Woodward Township on November 5, 1878?—A. Thomas Henderson's, in a stone house of his on his lot.

Q. How far did William Luther then live from Thomas Henderson's, the election place?—A. Three miles.

Q. How far did J. M. Lehman then live from Henderson's, the election place?—A. One mile and a half.

Q. Had you or had you not also paid State or county taxes during the year 1877?—A. Yes, sir.

Cross-examined:

Q. Was the tax you paid Thomas Henderson, collector of Woodward Township, a personal tax or a tax on real property?—A. On real property.

Q. To whom did you pay your tax for 1877?—A. John Malee, in Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Was John Malee tax collector?—A. Yes, sir.

Q. What time in the year 1877 did you pay your State and county tax to John Malee?—A. About June court, 1877, just before court.

And further saith not.

D. C. HENSAL.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

THOMAS M. WILLIAMS sworn.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania. I am fifty-nine years old.

Q. Where were you born?—A. In Wales.

Q. Have you or have you not been naturalized?

(Objected to because it is not competent to establish witness's naturalization by parol proof; witness must either produce certificate of naturalization or certified copy of record from the court that granted his naturalization.)

A. Yes, sir.

Q. When were you naturalized?

(Objected to for the reasons given above.)

A. Fifteen years ago.

Q. Are you married?—A. Yes, sir.

Q. How long have you lived in said Woodward Township?—A. Six years.

Q. Had you, your wife and family, resided in the election district of Woodward continually for one whole year and more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding November 5, 1878?—A. Yes, sir.

Q. When did you pay it, and to whom?—A. I paid it (tax-receipt produced by witness), of which the following is a copy:

“WOODWARD Tp., April 3, 1878.

“Received of Thomas M. Williams one dollar and five cts. State and county tax for the year 1877.

“J. G. HIGGINS, Col.”

Q. Did you vote in the election district of Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. Did you or did you not vote for Seth H. Yocum for Congress at said election?

(Objected to as the question is an improper one, and counsel for contestee has no right to ask or witness to answer it.)

A. Yes, sir: I did vote for Seth H. Yocum.

Q. Who did you get your ticket from that you voted?—A. Thomas Davis.

Q. Was or was not Thomas Davis on said election day working for Yocum and giving out Yocum tickets?—A. Umph! Umph! Yes, sir; he was.

Q. Did you or not vote the ticket that Thomas Davis gave you?—A. Yes; I did.

Q. Did or did you not ask Thomas Davis for a Yocum ticket for Congress?—A. No; I did not ask him.

Q. Did you or did you not want to get a Yocum ticket to vote?—A. I just go up to vote and take them from my own notion. Yes, sir; I want' to vote for Yocum.

Q. For how many years have you been voting in said Woodward Township?—A. About five or six years.

Cross-examined:

Q. Have you your naturalization papers with you?—A. Yes, sir; but I forgot to bring them. I have them at home. I had them at the polls when I voted for Yocum and had to show them.

Q. You say you got the ticket you voted on November 5th from Thomas Davis; did you read it carefully before voting?—A. I got the ticket from Davis, but I cannot read.

Q. Then you don't know of your own knowledge whether you voted for Yocum for Congress or not?—A. No, sir.

Q. Are you a Democrat or a Republican?—A. A Republican.

Q. Did Thomas Davis tell you that the ticket he gave you was a Yocum ticket?—A. No; he did not.

Q. Did you ask Thomas Davis for a Yocum ticket?—A. No, sir; I did not. He gave me the ticket and told me to vote it. He told me to-day it was a Yocum ticket.

Q. Is that all the knowledge you have of voting for Yocum, what Thomas Davis told you?—A. Yes, sir.

Re-examined:

Q. Then do you or do you not always vote the Republican ticket?—A. Always, sir.

And further saith not.

THOMAS M. ^{his} + WILLIAMS.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

EDWARD LLOYD, Sr., sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I was 56 last February.

Q. Where were you born?—A. Wales.

Q. Have you been naturalized?

(Objected to all questions looking to the proof of witness' naturalization, unless he first produces his papers or certificate of naturalization or a certified copy of record from the court from which he was naturalized.)

A. Yes, sir.

Q. About how long ago was you naturalized?—A. About fifteen years.

Q. When?—A. Huntingdon County, Pennsylvania, on the 10th of August, 1864.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in said Woodward Township continuously for the one whole year, and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. How often have you voted in said Woodward Township?—A. I guess I have voted there about four times.

Q. Had you paid a State or county tax within the two years immediately preceding November 5, 1878?—A. Yes, sir. (Witness produces receipt, dated September 23, 1878, for State and county tax for 1878, paid to Thomas Henderson, collector.)

Q. Did you vote at the general election of November 5, 1878, in the election district of said Woodward Township?—A. Yes, sir.

Q. Did or did you not vote at said election for Seth H. Yocum for Congress?

(Question objected to because it is improper, and one that counsel for contestee has no right to ask or witness to answer, and also because, if counsel for contestee insists upon answering such improper question, the form of it should be, "For whom did you vote for Congress?")

A. Yes, sir; I voted the Republican ticket; I guess his name was on it, but I could not swear to it.

Q. Did you or not vote the whole straight Republican ticket at said election?—A. Yes, sir; I voted it.

Q. From whom did you get your ticket that you voted on November 5, 1878?—A. From John Trueman.

Q. Did you or not intend to vote for Yocum for Congress, and do you or not, to the best of your knowledge, believe that you voted for Yocum for Congress?—A. I intended to vote the Republican ticket. I believe I voted for Yocum if his name was on the Republican ticket.

Q. After you got the full straight Republican ticket, did you scratch or not any name or names off of it?—A. No, sir.

Q. Then, to the best of your knowledge, did you or not vote the whole full Republican ticket on November 5, 1878?—A. Yes, sir; I did.

Cross-examined:

Q. Did you show your naturalization certificate to the election officers of the Woodward election district when you offered your vote on the 5th of November last?—A. No, sir; they asked me for it, but I did not have it along with me. I had shown it then several times before that.

Q. Had you voted for five consecutive elections in the election district of Woodward Township prior to the one held on the 5th of November last; and, if so, did you each and every time produce before the proper election officers your certificate of naturalization?—A. I could not say that I did vote the five consecutive elections before that, and I don't believe I did produce the papers every time; I could not say how many times.

Q. Was not Seth H. Yocum the National Greenback candidate for Congress at the election held at Woodward Township on the 5th of November last?—A. I could not answer that question.

Q. Do you not know that he was not the Republican candidate for Congress at said election?—A. No, sir; I don't.

Q. You say you voted the Republican ticket at that election; then, if Seth H. Yocum was not the Republican candidate for Congress, is it not more than likely that you did not vote for him?

(Objected to as improper in form, as assuming that to be a fact which is well known to not be the fact, to wit, that Seth H. Yocum was not the Republican candidate for Congress; as argumentative; as not cross-examination, and as unfair to the witness for the reasons stated, and as immaterial, Seth H. Yocum's name for Congress having been printed upon both the Republican and Greenback tickets as candidate for Congress upon each.)

Counsel for contestant answers that witness has sworn that he voted the Republican ticket, and that if Seth H. Yocum was the Republican candidate for Congress he thinks he voted for him. The question objected to is proper, because Seth H. Yocum was not the Republican candidate for Congress; that there was no Republican candidate for Congress; that Seth H. Yocum's name was not printed upon all the Republican tickets, and that therefore witness cannot swear that he voted for Seth H. Yocum.)

A. Well, I did vote the Republican ticket, to the best of my knowledge; if his name was on the Republican ticket I did vote for him, and if it was not on it I did not vote for him.

Q. Then you cannot swear positively that you did vote for Seth H. Yocum for Congress on the 5th of November last?—A. I cannot swear that I voted anything but the Republican ticket, not for any particular person on it.

Re-examined :

Q. Have you always voted the Republican ticket?—A. Yes, sir.

Q. Have you been voting on your naturalization papers since you got them in August, 1864?—A. Yes, sir.

Q. How long have you lived in said Woodward Township?—A. I have lived there over four years.

Q. Did you vote the ticket entire on November 5, 1878, that John Trueman gave you?—A. Yes, sir.

Q. How many times have you voted on your naturalization papers, as near as you can tell?—A. I have voted on them, I guess, ten times.

Q. Were you not acquainted with the election board of Woodward Township at the election of November 5, 1878, and did they, or not, well know that you was a naturalized citizen?—A. I was acquainted with the biggest part of them, and they knew that I was naturalized.

Recross-examined :

Q. Had you voted in the election district of Woodward Township for five years prior to the 5th of November last; and, if so, did you each time produce your certificate of naturalization?—A. I don't think I did vote as many times as that, and I did not show my papers every time.

Re-examined :

Q. How long have you lived in Woodward Township?—A. Over four years. I came there in February, 1874, I think.

Q. Have you voted in Woodward Township at every fall election since you came there?—A. Yes, sir; I believe I have.

And further saith not.

EDWARD LLOYD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.7 a. m. to meet at 1 o'clock p. m. same day.

OSCAR KLINE sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; I was twenty-four on the 29th of January, 1879.

Q. Where were you born?—A. Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Had you resided in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Not for a whole year, I had not.

Q. Had you resided in said Woodward Township continuously for at least two months immediately preceding November 5, 1878?—A. Yes; as near as I can tell.

Q. Have you always resided in the State of Pennsylvania?—A. Yes, sir.

Q. Did you or not, within two years preceding the election of November 5, 1878, pay a State or county tax; and if so, to whom, and when?—A. Yes, sir, I did; my father paid it for me; here is the receipt. Receipt is dated October 1, 1877, for State and county tax for the year 1877, and signed by J. G. Higgins.

Q. Was J. G. Higgins collector of State and county taxes?—A. Yes, sir.

Q. Is or is not your father, by your instructions or directions, in the habit of paying your taxes?—A. He paid them, and that is about the first State and county tax I paid; he also worked my road tax out too.

Q. Do I not understand you that he paid a State and county tax to Higgins by your direction?—A. Yes, sir.

Q. Did or did not you get your receipt for State and county taxes paid to said Higgins from your father about October 1, 1877, or within a few days thereafter?—A. I don't recollect when I got it; it was after, I think, a few days; I am not sure, though.

Q. Did you not get the receipt from your father sometime after October 1, and in the year 1877?—A. I got it in the year 1877.

Q. At the time you got the receipt, did you or not know that J. G. Higgins was the collector?—A. I know he was the collector.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. Did you or did you not at said election vote for Seth H. Yocum for Congress?

(Objected to because the question is an improper one, which counsel for contestee should not ask nor witness answer; also, if counsel for contestee insists upon answering such improper question, the form of it should be, "For whom did you vote for Congress?")

A. I voted for Yocum.

Cross-examined:

Q. Have you any other tax receipt for State or county tax except the one produced by you upon the stand?—A. No, sir.

Q. Did you yourself ever pay either a State or county tax?—A. No, sir.

Re-examined:

Q. Did you or not vote on the tax receipt which you have presented and shown, at the general election in Woodward Township held in November, 1877?—A. No, sir; I did not.

Q. Did you vote in November, 1877?—A. Yes, sir; I voted in that year.

Q. Did or did not the taxes which were paid Higgins entitle you to a vote in November, 1877?

(Objected to because the question asks the witness his opinion of the legality of his payment of tax.)

A. No, sir; I believe not.

Q. Did you or not pay yourself, to Higgins, 50 cents for your State and county tax?—A. Yes, sir; I believe I did, one night at the big meeting.

Q. Did you or not pay Higgins said tax of 50 cents at a church meeting some time during the winter of 1876?

(Objected to because it suggests to the witness the answer, and endeavors to lead him to say he paid the tax in the winter of 1876, when he the witness swears that he does not know when he paid it.)

A. No, sir; it was not in the winter at all.

Q. Was or was it not paid after the middle of November, 1876?

(Objected to because the counsel is trying to lead witness to swear to that which is not within his own knowledge; the proper question for counsel to ask witness would be, "State as near as you can what time in the year 1876 you paid this tax.")

A. I don't recollect what time it was paid; it was sometime in the fall, I don't know what month.

Q. Was or was it not paid after the Presidential election of 1876?

(Objected to because witness has already sworn that he does not know what month his tax was paid, and it is only another effort of counsel to compel the witness to swear to that which he does not know to be true.

Counsel for contestee protests against making any such statements under the cover of an objection so called, the question being fair, and proper, and material.)

A. It was paid before the Presidential election of 1876.

Recross-examined:

Q. State as near as you can what time in the fall of 1876 you paid the above-mentioned tax.—A. I can't tell you; but it was before the Presidential election of 1876, and I got a vote on it then.

Q. Did you authorize your father to pay the tax the receipt for which you have in your possession and exhibited on the stand?—A. Yes, sir, I did; he don't do such business without I tell him to.

Q. When did you pay your father the amount of tax called for by said receipt?—A. I never paid him the amount; I paid him money along; I never paid him the tax yet.

Q. Do you know, of your own knowledge, whether J. G. Higgins, the tax collector for Woodward Township, ever received the amount of tax named in receipt now in your possession and produced by you on the stand?—A. Yes, sir; I do.

Q. How do you know he did?—A. Because he told me he got it from my father.

Re-examined:

Q. When did Higgins tell you that your father had paid your tax?—A. I don't recollect when it was. He told me my tax was paid, and I sent and told him I wanted a receipt before the date in the receipt.

Q. Did or did you not within a few months after your father paid Higgins your 1877 tax, pay to your father sufficient money for said taxes?—A. Yes, sir; I have done it.

Recross-examined:

Q. When did you get this receipt?—A. A short time after it was dated.

Q. From whom did you get it?—A. I got it at home; it was sent to me there, and I got it there.

Q. Was the money you paid your father after you got this receipt intended by you as a payment to him of the tax he paid for you?—A. Well, I don't know; I did not tell him what to do with it; he could do as he pleased with it.

Q. When you gave your father money, at any time, did you tell him that any part of it was to be applied to the payment of your taxes, the amount of which your father had advanced for you?—A. No, sir; I did not.

Re-examined:

Q. After your father paid your taxes for you, in accordance with your direction, did he hold these taxes against you?—A. No, sir, he did not; he never holds anything against me that I get from him.

Q. When you paid him the money did you pay it to him on account of this indebtedness?—A. If he wanted me to pay him for it he might take it for that; if not, he could do as he pleased; he never charges me for anything I get from him.

Q. Did you pay him enough money to cover these taxes?—A. Yes, sir; I have.

Q. Did you pay it to him more than one month preceding the election of November 5, 1878?—A. I gave him money so many times I gave him enough to cover it before that time.

And further saith not.

OSCAR KLINE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

EDWARD MCPHILONY sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I was 21 years old on the 2d of September, 1878.

Q. Where were you born?—A. In Philadelphia, Pa.

Q. How long have you resided in Pennsylvania?—A. I have been in Pennsylvania most all the time since I was born.

Q. How long had you resided continuously in Woodward Township, Clearfield County, Pennsylvania, immediately preceding the election of November 5, 1878?—A. About four years.

Q. Did you vote in the election district of Woodward Township,

Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to for the same reason as that given in objection to the same question to preceding witnesses.)

A. Seth H. Yocum.

Q. Did you or did you not vote on age at that election?—A. Yes, sir.

Cross-examined:

Q. Where do your father and mother live?—A. In Woodward Township.

Q. Do your father and mother keep a record of the births, deaths, and marriages that occur in their family?—A. No, sir; I believe not.

Q. Have they any record in which the day of your birth is recorded?—A. I could not say that.

Q. What year were you born?—A. In 1857.

Q. Upon what month and day?—A. On September 2.

Q. Who told you you were born on the 2d of September, 1857?—A. My father and mother often told me.

Q. You said in your direct examination that you had voted on age at the general election held November 5, 1878, for Woodward Township; what proof of your age did you make to the election board on that day?—A. I swore I was of age.

Q. Did you subscribe a partly written and partly printed affidavit to which you were sworn setting forth that you were between 21 and under 22 years of age, that you had resided in the election district of Woodward Township at least two months prior to the 5th day of November, 1878, that you were a citizen of the United States and of this commonwealth and that you had resided in said commonwealth at least one year immediately preceding the 5th of November, 1878?—A. No, sir; I did not.

Q. Did you produce a citizen of Woodward Township, who was also a legally qualified voter of said township, who swore that he had known you two months and upwards, and that you had resided, to his knowledge, in the election district of Woodward Township at least two months last preceding the 5th day of November, 1878?—A. No, sir.

Q. Did you take any one before the board holding the election for Woodward Township on the 5th of November, 1878, who swore that you were over 21 and under 22 years of age?—A. No, sir.

Q. Then all the proof you made to the board holding the election for Woodward Township on the 5th of November, 1878, was your own unsupported oath of your right to vote on age?

(Objected to as argumentative and unfair to the witness.)

A. Yes, sir.

Re-examined:

Q. Were you well known to the election board?—A. They knew me. I don't suppose they knew I was of age, though, before I swore to it.

Q. Did they know your father well?—A. There was one man there knew him for some time; there might have been more; I am a single man.

And further saith not.

Attest:

[SEAL.]

EDWARD McPHILONY.

WM. RADEBAUGH,
Notary.

FREDK. O'L. BUCK,
Amanuensis.

HENRY SALSURY sworn :

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is between 40 and 50, I think.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Who gave you the ticket you voted?—A. Theodore Van Dusen.

Q. Was it a Republican, Democratic, or what kind of a ticket?—A. It was a full, straight Republican ticket.

Q. If Seth H. Yocum was the Republican candidate for Congress, did you vote for him at that election?—A. Yes, sir; if he was the candidate I voted for him, for I voted the full ticket.

Q. Was or was not Theodore Van Dusen, who gave you the ticket you voted, an active supporter of Seth H. Yocum for Congress at that election?—A. I believe he was—I never asked the man—as far as I know.

Q. How long have you resided in Woodward Township?—A. I believe it will be three years in April.

Q. Are you married?—A. Yes, sir.

Q. How long immediately preceding the election of November 5, 1878, did you and your family continuously reside in Woodward Township, Clearfield County, Pennsylvania?—A. We have lived together all the time since I came there, about three years in April next.

Q. Had you, within two years preceding the election of November 5, 1878, and more than one month before said election, paid a State or county tax which was assessed at least two months before that election; and, if so, when, and to whom?—A. Yes; I had. I paid Henderson, in 1878, my State and county taxes, and paid them to him I cannot tell when—what time of year it was; in the fall some time. The year before that (1877) I paid my State and county taxes to Joseph Higgins, who was then collector for Woodward Township.

Q. How long was it before the fall election of 1877?—A. I can't exactly tell.

Q. About how long was it before the election of November, 1877, and was it during the fall or the summer of that year, that you paid these taxes to Higgins?—A. I believe it was about Christmas time.

Q. Christmas of what year?—A. Of 1877, I think.

Q. It was then after the election of November, 1877, was it not?

(Objected to because it is too leading.)

A. It was before it. It is the last election I refer to, when Yocum and Hoyt were running.

Q. Then when you said you paid Higgins before the election of November, 1877, did you or did you not mean that it was before the election of November 5, 1878, when Yocum and Curtin were candidates?—A. Yes; that is what I meant.

Q. Was it the Christmas before that election, when Curtin and Yocum were candidates, that you paid these taxes to Higgins, according to the best of your recollection?—A. I believe it was.

Q. Where were you born?—A. In Ireland.

Q. How long have you been in Pennsylvania?—A. I have been here about twenty-five years.

Q. Are you naturalized?

(Objected to because it is not competent to prove witness's naturalization by parol proof; witness must either produce his certificate of nat-

uralization or a certified copy of record from the court in which he was naturalized.)

A. I have got my first papers, and last, too.

Q. Were you naturalized?

(Objected to any and all questions looking to the proof of witness's naturalization other than in the manner and form prescribed by law.)

A. I could not say.

Q. Was it more than one year ago?—A. Yes, sir; more than twenty since.

Q. I understand you to say that you were naturalized more than twenty years ago?—A. Yes, sir.

Q. Where were you naturalized?

(Objected to for the same reasons given before.)

A. In Norristown, Montgomery County, Pennsylvania.

Q. Have you voted on your naturalization papers ever since you were naturalized?—A. Yes, sir.

Q. At how many elections in Woodward Township did you vote on them?—A. I could not exactly say whether it was two or three.

Q. Was your vote challenged or questioned at the election of November 5, 1878?—A. No, sir; it was not; but at the Presidential election it was, and I handed my papers and tax-receipts in.

Q. Was your name on the registry list for Woodward Township for 1878?—A. I could not say, indeed.

Cross-examined:

Q. Who was the Republican candidate for Congress at the election held for Woodward Township on the 5th of November, 1878?—A. I don't know.

Q. Do you not know that there was no Republican candidate for Congress at that election?—A. I could not tell you whether there was or not.

Q. Did you go to Mr. Vandusen for your ticket on that day?—A. I was there in the store, and he handed me a ticket after asking me if I had voted.

Q. Did you tell Mr. Vandusen that you wanted to vote for Seth H. Yocum, the National Greenback candidate for Congress?

(Objected to as unfair to the witness, and also because Seth H. Yocum was the Republican as well as the Greenback candidate for Congress.)

Counsel for contestant desires to make the statement on record that Seth H. Yocum was the national Greenback candidate for Congress; that he neither on the 5th of November, 1878, or at any other time, was he the candidate of the Republican party of the twentieth Congressional district of Pennsylvania; that there was no Republican candidate for Congress in said district at said election; that the conferees who were the official representatives of said Republican party in said twentieth Congressional district, met for the purpose of placing in nomination a candidate for the office of Congress, but adjourned without action, and that statements of counsel for Seth H. Yocum, who answers to the contestee in this case, that he was the Republican candidate for Congress in the twentieth Congressional district of Pennsylvania on the 5th of November, 1878, are untrue in fact, and are calculated and intended to mislead illiterate and ignorant witnesses on the stand.

To which counsel for contestee states all of the foregoing statements by counsel for contestant is untrue in fact, and so palpably so as to be incapable of misleading any one.)

A. I did not.

Q. Then you don't know whether you voted for Seth H. Yocum or not?—A. I told you I voted a full ticket.

Q. Then you don't know whether you voted for S. H. Yocum or not?—A. If he was on the ticket I voted for him.

Q. Have you your naturalization papers with you?—A. Not on me, they are in the house.

Q. Had you your naturalization certificate with you at the election held on the 5th of November, 1878, and did you show it to the proper officers holding the election for Woodward Township on that day?—A. I had it with me, but they did not ask for it and I did not show it.

Q. How often have you voted in the election district of Woodward Township?—A. I believe, three times.

Q. How often were you required to produce before the board your certificate of naturalization?—A. Only once.

Q. Were you asked by the election board of Woodward Township on the 5th of November, 1878, when you offered to vote, whether you had within two years, and more than one month next preceding said 5th day of November, paid either a State or county tax?—A. No, sir; they asked me no question of the kind.

Q. Then you were not required by the said election board to produce any proof of your legal qualifications as a voter?—A. They did not.

Q. When did you pay a State or county tax for 1876?—A. I cannot tell you for sure.

Q. When did you pay your State or county tax for 1877?—A. I could not exactly tell; I have not the receipt with me.

Q. When did you pay your State and county tax for 1878?—A. I could not tell.

Q. Will you swear positively that you had paid either a State or county tax within two years, and more than one month prior to the 5th of November, 1878?—A. Yes, sir.

Q. When and where did you first file the declaration of your intention to become a citizen of the United States?—A. In Norristown; I can't tell when.

Q. How long after filing such declaration did you receive your final certificate of naturalization?—A. I believe it was between five and six years from when I filed my first papers till I got my last in Pottsville.

Q. Did you receive your final certificate of naturalization from the court of common pleas for Schuylkill County, or were they granted you by the mayor of the city of Pottsville?

(Objected to as highly improper, unfair to the witness, and used for the purpose of misleading him in his testimony.)

A. Granted by the court at Pottsville.

Re-examined:

Q. Were you well acquainted with the officers who held the election in Woodward district on November 5, 1878?—A. I believe I would not know a man if they would come in here.

Q. Was Joseph G. Higgins or Thomas Henderson present at that election when you voted?—A. Henderson is a man I never knew till he came for the tax last fall, and Higgins I did not see there at all.

Recross-examined:

Q. What time in the fall of 1878 was it that Thomas Henderson called on you for your tax?—A. I can't exactly tell.

Q. Was it more than one month before the 5th of November, 1878?—A. Yes; I believe it was.

Q. Are you sure it was more than one month?—A. No; I am not sure

Q. Was the election board of Woodward Township on the 5th of November, 1878, composed of the same gentlemen as the election board who held the election for that township on the 7th day of November, 1876, to whom you say you showed your certificate of naturalization?—

A. I could not tell you; I did not know a man of them.

Re-examined :

Q. In answer to the last question when you said you did not know a man of them, who did you refer to?—A. I did not know none of them.

Q. Do you know whether the officers who held the election in 1876 knew you, or knew whether you had been naturalized?—A. I could not say.

Q. Do you know whether the officers who held the election on November 5, 1878, knew you or not, or knew whether you were naturalized?—

A. I could not tell you whether they did or not.

And further saith not.

HENRY ^{his} + SALSbury.
mark.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

Z. T. PORTER sworn.

Question. Where do you reside, and what is your age?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania. I am twenty-eight years old.

Q. Are you married or single?—A. Single.

Q. How long did you live continuously in the borough of Houtzdale, Clearfield County, Pennsylvania, immediately preceding the election of November 5, 1878?—A. About six years.

Q. Where were you born?—A. In Huntingdon County, Pennsylvania.

Q. Did you vote in the election district of Houtzdale Borough, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?

(Objected to for same reason as contained in former objection to same question.)

A. Seth H. Yocum.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. I did, sir.

Q. When and to whom did you pay said tax?—A. To Pat Dugan, collector, some time in September; I can't exactly tell when; it was in sufficient time, however, to allow me to vote.

Q. Was it more than one month or less than one month before the election of November 5, 1878?—A. It was more than one month.

Cross-examined :

Q. Did Dugan give you a receipt at the time you paid your taxes?—
A. He did.

Q. Have you that receipt with you?—A. No, sir.

Q. Where is it?—A. It is in my office.

Q. Will you produce it?—A. I will. (Receipt produced by witness.)

Q. You said in your examination-in-chief you had paid a State or

county tax to Pat Dugan, collector of taxes for Houtzdale Borough, in September, 1878. Look at that receipt, and tell me the date of it.—A. Witness takes receipt and reads as follows, viz: "October 1, 1878." I said in my examination-in-chief "I think in September."

Q. In whose handwriting is the receipt produced by you?—A. In my own.

Q. State whether it is usual with Mr. Dugan to get other parties to write his receipts for him.

(Objected to as not cross-examination and as immaterial.)

A. I do not know.

Q. Did you pay Pat Dugan this tax on the day and date marked on that receipt?—A. I did, sir.

Q. Have you had any conversation since you have been subpoenaed in this case, and before you came upon the witness-stand, in relation to whom you had voted for for Congress on the 5th of November last?—

A. I had.

Q. Have you told any one that you were not quite certain for whom you had voted for Congress at that election?—A. I did.

Q. Who did you tell?—A. I told Mr. Murray.

Q. What did Mr. Murray say to you when you told him about your doubts upon that subject?—A. He told me I need not hesitate to tell him, as he was interested for Yocum.

Q. What was the cause of your expressing such doubts to Mr. Murray?—A. Because I could not answer, just at the moment he asked me the question, without thinking.

Q. Did Mr. Murray assist your memory by telling you the names of the candidates for Congress?—A. No, sir.

Q. Have you any doubts now as to whom you voted for for Congress?—A. No, sir.

Q. How long is it since you expressed this doubt to Mr. Murray?—A. Near about an hour ago.

Q. What has occurred in that brief space of time to change your doubts into certainty?—A. Nothing, any more than when thinking the name came right to me.

Q. Was Mr. Yocum's name written or printed upon the ticket you voted?—A. Printed, if I recollect right.

Q. Could you have told one hour ago whether the name of Mr. Yocum was written or printed upon your ticket?—A. Just as easily then as now.

Q. Was not that about the time at which you had some serious doubts as to whether you voted for Mr. Yocum at all or not?—A. Yes; just for the moment.

Re-examined:

Q. Did your doubt arise from your inability at the moment to recall the name or your failure to know how you voted?—A. From my inability to recall the name.

Attest:
[SEAL.]

Z. T. PORTER.

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 6 o'clock p. m. to meet at 7 o'clock p. m. same night.

T. D. DAVIS sworn.

Question. Where do you reside and what is your age?

(Counsel for contestant objects to the examination of this witness, first, because we have not had legal and sufficient notice.)

Witness withdrawn, and it is agreed that witness shall be sworn and his testimony taken on Monday the 24th or Tuesday the 25th days of March, 1879, between the hours of 8 a. m. and 12 p. m., with same effect as if due and regular notice thereof had been served upon contestant. This agreement made March 21, 1879, for the reason that the notice already served named the witness T. T. Davis instead of T. D. Davis.

GEO. R. BARRETT, JR.,
Of Counsel for Contestant.

THOS H. MURRAY,
For Contestee.

J. B. HAMILTON sworn.

Question. Where do you reside and what is your age?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania; my age is forty years.

Q. Where were you born?—A. Huntingdon County, Pennsylvania.

Q. Did you reside in said Houtzdale Borough continuously for the one whole year and more immediately preceding November 5, 1878?—

A. I did.

Q. Have you ever been married?—A. No, sir.

Q. Had you, within two years immediately preceding November 5, 1878, paid a State or county tax?—A. I did.

Q. To whom and when?—A. To John Malee. I finished paying it in September, 1878.

Q. Did you vote in the election district of Houtzdale Borough at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?

(Objected to because the question is an improper one which counsel should not ask or witness answer.)

A. Seth H. Yocum.

Q. When did you pay the State or county tax referred to to Malee? and state more fully than you did before when you first paid to him the payment which you afterwards completed as stated.—A. I think, as near as I can tell, in June, 1878, I made one payment; July, 1878, another; and finished paying in full in September, 1878, and received my receipt.

Q. Did it take all these three payments to complete the whole State and county tax which he had against you?—A. It did not; but he called on me a couple of times when I was short of money. These three payments cleared up all my tax in full; it took all these three payments to complete the payment of the whole State and county tax he had against me. I at first misunderstood the question.

Q. Can you state what year's tax that was?—A. I could not be positive, but I might have been in arrears some for 1877.

Cross-examined:

Q. How much tax did you owe Mr. Malee altogether; that is, how much did you pay him in the three times you mentioned in your direct examination?—A. My receipt called for \$3.50 I am sure.

Q. How much did you pay him the first time?—A. A dollar and a half.

Q. How much did you pay him the second time?—A. One dollar.

Q. How much did you pay him the third and last time?—A. One dollar.

Q. Was this all personal tax?—A. No, sir; it was part on my real estate, and part on my personal property.

Q. How much of it was personal tax and how much on your real property?—A. I could not tell you, sir.

Q. Are you quite sure that any part of this tax was a personal tax?—A. I could not tell you sure.

Q. Have you the receipt given you by Mr. Malee?—A. I have not, sir.

Q. What has become of the receipt?—A. I have mislaid it somehow.

Q. Can you state from your recollection of the contents of the receipt whether it purported to be a receipt for State and county tax or not?—A. It did; I read it.

Q. Did it say anything else but that the collector has received from you \$3.50 for State and county tax?—A. Nothing, but in full.

Q. When did you pay the tax upon your property in the borough of Houtzdale for the year 1877?—A. I cannot recollect the time exactly.

Q. When did you pay the tax upon your property in the borough of Houtzdale for the year 1878?—A. I finished paying it in September.

Q. You have just stated that the tax you finished paying in September, 1878, was your State and county tax; did you then make separate payments to the number of three each, for both your State and county tax and the tax upon your property?—A. I did.

Q. Did you get two receipts from the collector for such separate payments?—A. No, sir; one.

Q. How do you reconcile this answer with the one you made to a former question, in which you stated that the receipt given you by the collector was for State and county taxes only?—A. I don't think I made that statement; did I?

And further saith not.

J. B. HAMILTON.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

MILLARD SHOFF sworn.

Witness withdrawn.

JOHN CHARLTON sworn.

Question. Where do you reside, and what is your age?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania. My age is 26 years.

Q. Where were you born?—A. England.

Q. Have you been naturalized or not?

(Objected to by counsel for contestant because his certificate of naturalization is the best evidence, and parol proof cannot be given to establish the fact it is sought to establish until it shall have been shown that his certificate of naturalization has been lost or destroyed.)

A. I voted on age on the strength of father's papers.

Q. Was your father naturalized?

(Objected to by counsel for contestant, for the reason that the certificate of his father's naturalization is the best evidence, and the fact sought to be established by the testimony of the witness cannot be established by parol proof until it shall have been shown that his father's

certificate of naturalization, which is the best evidence, on the records of the court from which such certificate was issued, have been lost or destroyed.)

A. Yes, sir.

Q. When?

(Objected to for same reasons as in objection to preceding question.)

A. In 1872.

Q. Was you or not under twenty-one years of age when your father was naturalized?—A. Yes, sir; I was under twenty-one years.

Q. When you say “you voted on age, on the strength of your father’s papers,” do you not mean that being under twenty-one years when your father was naturalized you have since voted on the strength of his papers?

(Objected to by counsel for contestant for the reason that the witness has testified that he voted at the election of November 5, 1878, on age, on the strength of his father’s papers, and because the question is leading.)

A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in the election district of said Houtzdale Borough continuously for the one whole year and more immediately preceding November 5, 1878?—A. No; I was married on election day.

Q. Have you so resided yourself?—A. Yes, sir.

Q. Did you reside in the election district of said Houtzdale Borough continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you, within two years immediately preceding November 5, 1878, paid a State or county tax?—A. Yes, sir; there is the receipt.

Q. When and to whom did you pay such State and county tax?—A. May 31, 1878, to D. McGaughey, county Treasurer.

Q. Was McGaughey treasurer of Clearfield County when such tax was paid to him?

(Counsel for contestant objects to this question and the answer thereto because it is not the best evidence.)

A. Yes, sir.

Q. Did you vote in the election district of said Houtzdale Borough at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum.

Cross-examined:

Q. When did you pay a State or county tax yourself, personally?—

A. I can’t say I ever did personally.

Q. Then you did not, did you, pay the State and county taxes for which you have a receipt dated May 31, 1878, yourself to Treasurer McGaughey?—A. No, sir.

Q. When were you born?—A. In 1852, December 6.

Re-examined:

Q. At what age did you come to this country?—A. I landed here in July, 1866.

Q. Who paid your tax for you for which you had the receipt dated May 31, 1878?—A. Father.

Q. Does your father reside in this vicinity, and if so, how long?—A. He resides here and has since 1871.

Q. Did you direct or authorize your father to pay those taxes for you,

and did you pay your father or settle with him for it?—A. I directed him and settled with him for it; he always pays our taxes.

Recross-examined:

Q. When did you direct him to pay these taxes which he paid to McGaughey on May 31, 1878?—A. He does this work for us all the time; it is always understood that he is to pay our taxes in time every time they come due; we notify him every year to pay them for us in time.

Q. When did you settle with your father for the taxes he paid McGaughey on the 31st of May, 1878?—A. He is settled with always; sometimes he is settled with before and sometimes afterwards.

Q. Then you have never had any particular settlement with him in reference to these taxes which he paid for you on May 31, 1878, have you?—A. No.

Re-examined:

Q. I understand you to say that you notify your father each year to settle your taxes?—A. Yes, sir.

Q. Did you so notify him in 1878, and before he paid these taxes?—A. Yes, sir.

Q. Do you settle your taxes with your other accounts and dealings with him from year to year?—A. Yes, sir.

Recross-examined:

Q. Was your father indebted to you on May 31, 1878, the time when he paid these taxes for you?—A. No, sir.

Re-examined:

Q. Can you say exactly how your accounts stood and which way the balance stood at that time or not?

(Objected to by counsel for contestant for the reason witness has already answered, and because it is leading.)

A. No, sir.

And further saith not.

JOHN CHARLTON.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JESSE DIGGINS affirmed.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is about 38 years.

Q. Where were you born?—A. Huntingdon County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax?—A. Yes, sir.

Q. To whom and when?—A. To David McGaughey, the county treasurer in 1876 and 1877, and I think I paid in 1878 to Thomas Henderson.

Q. Did you vote in the said election district of Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to as the question is an improper one, and one which counsel ought not to ask nor witness answer.)

A. Yocum; I mean Seth H. Yocum.

Cross-examined:

Q. Have you with you the receipts of County Treasurer McGaughey for the tax you say you paid him for the years 1876 and 1877?—A. No, sir; they are at home—in my safe at the office at home.

Q. Have you any other tax-receipt for any other year with you?—A. No, sir; I have not.

Q. Have you paid any other tax except the tax you say you paid David McGaughey, treasurer of Clearfield County, for either of the years 1876, 1877, or 1878? I mean State or county tax.—A. No, sir.

Q. Did you take an active part in the election of Congressman on the 5th of November last?

(Objected to as immaterial and not cross-examination.)

A. I tried to induce every one to vote for Seth H. Yocum that I could.

Q. Did you receive any money from any source whatever to use for the purpose of securing votes for Seth H. Yocum at that election?—A. No, sir.

And further saith not.

JESSE DIGGINS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GILBERT HEGARTY affirmed.

Question. Where do you reside and what is your age?—Answer. Houtzdale Borough; my age is between 22 and 23 years.

Q. When were you 22?—A. On the 15th of last August.

Q. Did you vote in the election district of Houtzdale Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Had you resided in said borough of Houtzdale continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did your father pay for you by your direction a State or county tax within two years preceding November 5, 1878, and at least one month before November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election in the election district of Houtzdale Borough on November 5, 1878?

(Objected to for the same reason as that urged in the case of Jesse Diggins.)

A. Seth H. Yocum.

Q. Where were you born?—A. Clearfield County, Pennsylvania.

Cross-examined:

Q. When were you born?—A. On the 10th day of August, 1856.

Q. Did you authorize your father to pay the tax for you in September, 1878?—A. Yes, sir.

Re-examined:

Q. Was the tax which your father paid for you, assessed at least two months before the election of November 5, 1878?—A. Yes, sir.

Recross-examined:

Q. Can you read?—A. Yes, sir.
And further saith not.

GILBERT HAGARTY.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis

Adjourned at 11 o'clock p. m. to meet at 8 o'clock a. m. March 22, 1879.

JOHN TRUMAN sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; I am about 38 years old.

Q. Where were you born?—A. England.

Q. Are you married?—A. Yes, sir.

Q. Have you ever been naturalized?—A. Yes, sir.

(Question objected to because it is not competent to establish the naturalization of witness by parol proof; witness must either produce the papers or a certified copy of record from the court from which it was issued.)

Q. When and where?—A. In Clearfield County, Pennsylvania, on the 28th of September, 1874.

Q. Have you your naturalization certificate with you?—A. Yes, sir.
(Witness examines naturalization papers.)

Q. By whom is said certificate signed, and is the seal of the court of Clearfield County attached thereto?—A. A. C. Tate, prothonotary, and the seal of the court is attached to it.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding November 5, 1878, paid a State or county tax; and, if so, to whom and when?—A. Yes, sir; to Joseph J. Higgins; my 1877 tax I paid in September, but I have no receipt for that; my 1876 tax was also paid.

Q. Do you or not mean that you paid your State or county tax assessed for the year 1877 to Higgins in September, 1877?—A. Yes, sir; I do.

Q. Did you vote at the general election held November 5, 1878, in the election district of said Woodward Township; and, if so, for whom did you vote for Congress?—A. Yes, sir; and for Seth H. Yocum for Congress.

Q. On November 5, 1878, did you or not give to Edward Lloyd, sr., a ticket upon which was Seth H. Yocum's name for Congress?—A. I did.

Q. Did you or not distribute and give to a number of persons Yocum tickets for Congress?—A. I did, sir.

Q. Did you or not distribute or give to any person or persons any tickets for Congress except Yocum tickets?—A. No, sir, not one; they were all Yocum tickets I distributed.

Cross-examined:

Q. How long have you resided in the election district of Woodward Township?—A. Since 1873.

Q. How often had you voted in the election district of Woodward Township upon the certificate of naturalization granted you by the court

of common pleas of Clearfield County prior to the 5th of November, 1878?—A. I voted in 1875 and every poll since.

Q. Did you on the 5th of November last, when you proffered your vote to the proper officers holding the election for Woodward Township, produce before them your certificate of naturalization?—A. No, sir; I was not asked for them.

Q. Were you asked by said election board whether you had within two years and more than one month prior to said 5th day of November, 1878, paid either a State or county tax?—A. No, sir.

Q. Then the election board required of you no proof that you were a properly qualified elector and entitled to vote in the election district of Woodward Township?—A. They knew me there at that board, every one of them.

Q. Did they know that you had paid a State or county tax in the manner and form prescribed by law?—A. I believe they did; they had challenged my receipt in the spring, and it was justified by Higgins then.

Q. Had you for five years consecutively voted and exhibited when offering to vote your certificate of naturalization to the proper election officers holding elections for the election district of Woodward Township?—A. No, sir.

Q. Did Edward Lloyd, sr., vote the ticket you say you gave him on the 5th of November last?—A. Yes, sir; I believe he did.

Q. Did you see him vote it?—A. Yes, sir; he voted the ticket I gave him.

Q. Did you go directly to the polls with Edward Lloyd, sr., after giving him his ticket, and did you see him vote that ticket?—A. I did not go directly with him because there was a crowd at the window. I kept my eye on him and saw him put it in.

Q. If he had so desired, could he not have substituted another ticket for the one you gave him without your knowing it?—A. No, sir; I don't think he could; the ticket was bent a little at the side.

Q. Did the ticket he put in the window have the peculiar curve you describe?—A. Yes, sir.

Re-examined:

Q. Were you or not well acquainted with the election board, and did they or not well know that you were a naturalized citizen?—A. Yes, sir; I was acquainted with them and they knew I was a naturalized citizen.

And further saith not.

Attest:
[SEAL.]

JOHN TRUMAN.

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

CHRIST. FREDERICK sworn.

Question. Where do you reside, and what is your age?—Answer. In Beccaria Township, Clearfield County, Pennsylvania; aged forty-seven years.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to for the same reasons as those urged against former questions of like character to preceding witnesses.)

A. Andrew G. Curtin.

Q. Did you pay any State or county tax during the year 1876?—A. Yes, sir.

Q. Did you pay that tax before or after the Presidential election of 1876?—A. I am satisfied that I paid it before the Presidential election of 1876.

Q. Did you pay it long enough before that election to entitle you to vote at that election?

(Question objected to because it does not appear that witness had not paid other tax within the two years immediately preceding the election of 1876, which would have entitled him to vote at that election.)

A. I think I did.

Q. Do you or do you not mean that you paid it at least one month before that election?—A. Yes, sir.

Q. When did you next pay any State or county tax?—A. The day of the election of November 5, 1878.

Q. To whom did you pay it?—A. To Saml. Hegarty, collector of Beccaria Township.

Q. Then you had not paid any State or county tax within two years preceding the election of November 5, 1878, had you?

(Objected to because the question is leading.)

A. No, sir; I paid my taxes for two years in succession to Andy Malholm; the third year I did not know who the collector was. He never came near me until after I moved out of the township. That is the reason I had not paid within two years.

(Counsel for contestant proceeds to cross-examine witness while objecting to all the testimony of witness given in chief, for the reason that when counsel for contestee had asked witness for whom he had voted for Congress, and counsel for contestant had objected to the question for the same reason as that urged against similar questions in former objections, viz, that the question is improper until it shall have been first shown that the witness's vote was illegal, which had not been done, witness asked counsel for contestee whether he must answer said question, and before counsel for contestant could interpose, counsel for contestee improperly told witness that he must answer the question.

Counsel for contestee protests against the foregoing statement under cover of objection, as incorrect and unfair, for the reason that the witness has at no time expressed any objection or unwillingness to testify for whom he voted for Congress, but was instructed by notary to not answer until the question was written down, and when such question was written down the witness said "Must I answer?" meaning thereby, is it now time for me to answer, and nothing more than this was meant in the statement of the witness referred to in the foregoing objection. Also, for the further reason that this and all like objections by counsel for contestant are made for the purpose and with the intent to improperly influence witnesses, and to embarrass and delay counsel for contestee in developing their case under their rights in contested-election cases; the counsel for contestant having solemnly placed on record, while making out their case in chief, their opinion of the law, that a witness in like case was bound to answer, and having demanded of the same notary that a witness who had positively placed upon record his refusal to answer for like reason be instructed to answer.

Counsel for contestant, in reply to counsel for contestee, says that in regard to the question of whether a witness can be compelled to say

for whom he voted for Congress, before his vote shall have been proven illegal, believes, after consulting the authorities and the other counsel connected with contestant's side of the case, that no witness under the laws of Pennsylvania can be compelled to testify for whom he voted for Congress until his vote shall have first been shown to have been illegal. Any other course tends to destroy the constitutional secrecy of the ballot, and is obnoxious and contrary to the statute laws of Pennsylvania.)

Cross-examined:

Q. How do you know you voted for Andrew G. Curtin for Congress?—

A. Because I had the ticket with his name on.

Q. Who did you get your ticket from?—A. Samuel Hegarty.

Q. Did you read it carefully before voting?—A. Yes, sir; I never voted a ticket yet without reading it.

Q. Who did you vote for for State senator?—A. I can't tell you now.

Q. Who did you vote for for county treasurer?—A. I can't tell you.

Q. Who did you vote for for county commissioner?—A. I don't remember.

And further saith not.

CHRISTAN FREDRICK.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

STEPHEN FREDERICK produced and sworn.

Question. Where do you reside and what is your age?—Answer. Beccaria Township, Clearfield County, Pennsylvania; I was twenty-five last 18th day of November.

Q. Did you pay a State or county tax in the year 1876?—A. Yes, sir.

Q. Was it before or after the Presidential election of 1876?—A. Before.

Q. Was it paid long enough before that election to enable you to vote upon that payment of tax?—A. Yes, sir.

Q. Do you or do you not mean that it was paid at least one month before that election?—A. Yes, sir.

(Objected to as leading.)

Q. When did you next pay a State or county tax?—A. In 1878; last fall, on the day of the election of November 5, 1878.

Q. Then you had not paid any State or county tax within two years preceding the election of November 5, 1878, had you?—A. Not that I mind of.

Q. Do you recollect or no of paying any State or county tax from the time you paid the tax which you think was over one month before the Presidential election of 1876, until you paid the tax on November 5, 1878?—A. No, sir; I don't recollect now; I don't mind of any.

Q. Did you vote in the election district of Beccaria Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you vote for Andrew G. Curtin or for Seth H. Yocum for Congress: which one of the two?

(Objected to because it is a question of privilege and the witness need not answer unless he sees fit so to do.)

Counsel for contestant, under the illegal ruling of the notary, who rules that the witness is bound to answer the question, instructs the witness not to answer said question, the counsel being G. R. Barrett, jr.

Counsel for contestee instructs the notary public to instruct the witness what to do.

Notary instructs the witness to answer.)

A. For Andrew G. Curtin.

Q. How do you know you voted for Andrew G. Curtin for Congress?—

A. It was on the ticket.

Q. How do you know it was on the ticket?—A. I saw it on the ticket.

Q. Who was on your ticket for State senator?—A. I can't tell you.

Q. Who was on your ticket for county treasurer?—A. I can't tell you.

Q. Who was on your ticket for county commissioner?—A. I don't mind.

Q. Have you not told different parties since you were subpoenaed in this case before coming upon the witness-stand that you did not know for whom you voted for Congress at the election of November 5, 1878?—

A. Well, I might have told some of them that; but I generally tell the truth when I am on the stand.

Re-examined:

Q. Did any one try to get you to say or think that you did not know for whom you voted for Congress?—A. There was a man asked me out there and I told him I did not know for sure.

Q. Was there, or was there not, a good deal of talk about Curtin and Yocum at the election of November 5, 1878?—A. Not very much that I heard.

Q. Did you vote for Philip Dotts or Lucien Bird for county treasurer; which one of the two?—A. Philip Dotts.

Q. Did you vote for S. Woods Caldwell or Cyrus T. Alexander for State senator?—A. I don't mind.

Q. What have been your politics, Democrat or Republican?—A. Democrat.

Q. Are you a son of Christ. Frederick, the last witness?—A. Yes, sir.

Q. What have been his politics heretofore, Democrat or Republican?—A. Democrat.

And further saith not.

Attest:

[SEAL.]

STEPHEN FREDERICK.

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

SAMUEL HEGARTY sworn.

Question. Are you the collector of State and county taxes for Beccaria Township, Clearfield County, Pennsylvania; and, if so, for what year's the tax, and when did the duplicate com in your hand?—Answer. I am, and for the year 1878; duplicate placed in my hand 12th of August, 1878.

Q. Do you know G. W. DeWalt, of Beccaria Township?—A. Yes, sir.

Q. Did he at any time pay you any State or county tax; and, if not, what kind of tax did he pay you, and when?—A. He never paid me any State or county taxes until the 20th day of March, 1879, the State and county tax for the year 1878. He never paid me any directly himself; Mr. Glasgow or his father paid me some school tax, paid some for him.

Q. Did he ever pay you any kind of tax, or did any one ever pay you any kind of tax for him, except the school tax paid for him by Glasgow or his father, and the State and county tax for 1878, which he paid you March 20, 1879?—A. No, sir.

Q. Was or was not George W. DeWalt one of the inspectors of Beccaria Township who conducted the election of November 5, 1878?—A. I can't answer that question squarely; I think he was.

Q. What have been his politics heretofore, so far as you know?—A. So far as I know, I have understood it to be Democratic.

Q. What are the politics of his father and family, so far as you know? (Objected to as improper, immaterial, and irrelevant.)

A. I don't know, only from my understanding; I think they are Democratic.

Q. How long have you lived in Beccaria Township?—A. About 46 years.

Q. Who had charge of the duplicates and collection of State and county taxes immediately before you in Beccaria Township, and how long had such person charge of the duplicates, as nearly as you can tell?—A. Jackson Kinkead; and he had had the duplicates for at least 2 years.

Q. Did Peter Resil, of Beccaria Township, at any time pay you any State or county tax?—A. No, sir.

Q. Did John Burke, of Beccaria Township, at any time pay you any State or county tax?—A. No, sir.

Cross-examined:

Q. For what year were you collector of State and county taxes for Beccaria Township?—A. For 1878.

Q. Then you don't know whether or not George W. DeWalt, Peter Resil, or John Burke paid State or county tax for either the years of 1876 or 1877?—A. No, sir; I do not.

Q. You were questioned as to the politics of George W. DeWalt; were there not a number of Democrats in Beccaria Township who acted with the Greenback party at the November election of 1878?—A. I don't know that there was; not that I know of; there might have been, but I don't know; I think they stuck close to their party.

And further saith not.

SAMUEL HEGARTY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

AARON OSBORNE sworn.

Question. Where do you reside and what is your age?—Answer. Gulich Township, Clearfield County, Pennsylvania; my age is 24 last June.

Q. How long had you been out of the State of Pennsylvania for some time before the election of November 5, 1878?—A. I left on the 4th day of March, 1878, and came back on the 5th day of August, 1878.

Q. Are you married or single?—A. I was married on the 3d day of August last.

Q. What were you doing while away, and in what State were you?—A. I was working on a farm in the States of Wisconsin and Illinois.

Q. Did you vote in the election district of Gulich Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to because it is a privileged question, and the witness need not answer unless he sees fit so to do).

A. Andrew G. Curtin.

Q. Had you, within two years preceding that election, paid a State or county tax?—A. I did. I have the receipt in my pocket now, dated September 12, 1878, from the collector of Gulich Township.

Q. Did you pay that tax on that day called for in the receipt?—A. As far as I know, except he dated it wrong.

Cross-examined :

Q. Did you leave Pennsylvania March, 1878, with the intention of acquiring a residence in any other State?—A. No, sir; I only went on a visit.

Q. Then you had no intention of acquiring any other home in any other State except the State of Pennsylvania?—A. No, sir.

Q. When you left Pennsylvania March, 1878, was it merely on a visit and with the intention of still retaining your residence in Pennsylvania?

(Objected to because the question evinces a purpose to mislead and contradict the witness inasmuch as he has already testified that he was out of the State working on a farm or farms.)

A. It was when I left; I did not know just when I should come back, but I was to come back before long.

Q. Did you ever vote or try to vote in any other State except Pennsylvania?—A. I did not.

Q. Did you always consider Gulich Township, Clearfield County, Pennsylvania, as your home?—A. Well, I have; I have been there for the last ten years.

Q. Did you ever leave it with the intention of making a home elsewhere?—A. I never have yet.

Q. Then your absence from Pennsylvania was merely a visit while you were away last summer?

(Objected to as leading.)

A. Yes, sir.

Q. Then you now consider and have for the last ten years considered Gulich Township, Clearfield County, Pennsylvania, as your home, and you have not in that time had a home elsewhere?—A. I have not, only when I was away, unless you consider that a home. I worked on a farm, then I did not consider that my home. I took nothing at all away with me.

Q. Where were you born?—A. Huntingdon County, Pennsylvania, my parents tell me.

Q. Had you lived in Pennsylvania at least one year, and in the election district of Gulich Township for at least two months, prior to the 5th of November last?—A. Yes, sir; it was always my home. I was in Pennsylvania for one year with the exception of the five months.

Q. Had you lived in Pennsylvania at least one year, and in the election district of Gulich Township for at least two months, prior to the 5th of November last?—A. Yes, sir; I never was out of the State only those five months in my life.

Q. You mean the five months you were away on a visit?—A. Yes, sir.

Q. Had you within two years and more than one month prior to the 5th of November, 1878, paid either a State or county tax?—A. Yes, sir.

Re-examined :

Q. Did you receive pay for the farming and work you did while West?—A. Yes, sir.

Q. Were you with strangers, or among friends or relatives?—A. I worked for strangers; I first went to my relatives.

Q. Was not your home in the West during the five months you were there?—A. I did not calculate to call it my home only while I was there.

Recross-examined:

Q. Did you take your trip out West for the purpose of seeing the country and your relatives?—A. I did.

And further saith not.

AARON OSMAN.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK.

Amanuensis.

AARON OSBORNE recalled.

Question. What is your correct name?—Answer. Aaron Osman.

(Counsel for contestant objects to all the foregoing testimony given by the witness, and named on the record as Aaron Osborne, whereas the witness swears that his name is Aaron Osman, of whose examination contestant has had no notice.)

Q. By what name are you generally known in Gulich Township?—A. Some calls me Osborne, and some calls me Osman, just as you have it; Osman is the right name.

Q. Are you not frequently called and known by the name of Aaron Osborne?—A. I don't know there is any difference; I am called as much by one name as the other.

Q. Is not your name written as often by other persons Aaron Osborne, as Aaron Osman?—A. Sometimes I get a letter Osman and sometimes Osborne.

And further saith not.

AARON OSMAN.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

RICHARD BOWEN sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 23 past.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you receive from any person shortly before that election a tax receipt; and, if so, when, and from whom?

(Objected to. Objection withdrawn.)

A. I did; from Matt. McAteer, on the day of the election.

Q. Had you paid the tax called for by that receipt?—A. No, sir.

Q. Had you paid any State or county tax within two years preceding that election of November 5, 1878?—A. No, sir; the voting I did before was on age.

Q. Did you ever pay a State or county tax?—A. I did; I got a tax receipt from Mr. Henderson before the last township election of February, 1879.

Q. Did you ever pay any State or county tax before the election of November 5, 1878?—A. I did not.

Q. Do you know when that receipt which Matt. McAteer gave you was written?—A. My name was put on it the day of the election.

Q. Where was it; that is, at what place was your name put on?—A. At the election poll, near the election house.

Q. Who put it on?

(Objected to as improper, and should not be asked or answered.)

A. That I don't believe I can swear to.

Q. Who, according to the best of your knowledge, put your name upon that tax receipt?—A. Mr. Matt. McAteer.

Q. What date was on that receipt when you got it?—A. I can't say.

Q. Where is that receipt?—A. I destroyed it.

Q. When did you destroy it?—A. I can't tell the exact time.

Q. About what time?—A. About the time this trouble about this contested-election arose, or shortly after.

Q. Did any one speak to you in reference to destroying this receipt?—A. Yes, sir.

Q. Who was it?—A. Matt. McAteer.

Q. When?—A. About the time this contested-election matter was going on.

Q. About how many days ago?—A. To the best of my knowledge, it is more than a month.

Q. What did Matt. McAteer say to you on that subject?

(Question objected, because it asks witness to state the declarations of a third party, which is hearsay evidence and not competent.)

A. I would rather you would get Matt. McAteer to answer that question; I don't like to turn informer.

(Witness asks notary whether he is compelled to answer the question. Notary directs witness to answer it.)

He simply said to destroy the receipt, or something to that effect.

Q. What reason did he give for having you destroy that receipt?—A. He gave none, and I asked for none.

Q. How long after he asked you to destroy it did you destroy it?—A. To the best of my knowledge, about two or three weeks after.

Q. Did you not destroy it since you were subpoenaed as a witness in this case?—A. No, sir; I was subpoenaed this morning.

Q. When did you first learn that you would be called as a witness in this case?—A. When those parties were going to Clearfield; that is, the witnesses in this contest.

Q. How long ago was it?—A. I guess near two months.

Q. Was it not before the time that Matt. McAteer told you to destroy that receipt?

(Objected to because it is too leading.)

A. I believe I have sworn that before.

Q. Did you not learn that you were to be a witness in this case before Matt. McAteer told you to destroy that receipt?—A. To the best of my knowledge, I believe not.

Q. Did you not destroy the receipt since you first learned that you were to be a witness in this case?

(Objected to because witness has already sworn that he did not. Counsel for contestee protests against this statement under cover of this objection, for the reason that it is untrue.)

A. I can't swear that I did.

Q. Did you vote at the election of November 5, 1878, for Andrew G. Curtin or for Seth H. Yocum for Congress?

(Objected to, because witness may either answer the question or de-

cline to answer the question as he pleases, as it is a question of privilege.

Witness asks notary whether he is obliged to answer the question.

Notary instructs witness to answer; and, further, that he refuses at his peril.)

A. For Andrew G. Curtin.

Cross-examined:

(Counsel for contestant gives notice to counsel for contestee that after the unjust, unfair, and flagrantly illegal ruling of the commissioner, which appears as a part of the record in this case, which ruling was the result of the advice given commissioner by counsel for contestee, that hereafter all witnesses called before said commissioner will be examined against the protest of contestant's counsel; also, that Andrew G. Curtin, the contestant in this case, will, at the earliest practicable moment, in pursuance of his right under the act of Congress, nominate a commissioner to act in conjunction with the commissioner now taking testimony, William Radebaugh, because contestant's counsel truly believe that said William Radebaugh is controlled in his decisions by counsel for contestee, to the detriment and injury of contestant's case, and they also believe that it would be impossible to get the testimony of witnesses on record before William Radebaugh in that fair, free, and untrammelled manner that is a part of the spirit of the laws governing contested elections. This notice is given by G. R. Barrett, jr., and J. F. Snyder, attorneys).

Re-examined:

Q. Was Matt. McAteer a Democrat or a Republican?

(Objected to because witness could not possibly tell the feelings of Matt. McAteer).

A. I have heard that he was a Democrat; I never asked him anything about his politics.

Q. Who was he in favor of for Congress, Curtin or Yocum?—A. To the best of my knowledge he was in favor of the straight-out Democratic ticket.

And further saith not.

RICHARD BOWEN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.45 to meet at 1.15.

1.20 p. m. examination resumed.

PATRICK CAVANAGH sworn.

Question. Where do you live and what is your age?—Answer. Lloyds-ville, Cambria County, Pennsylvania; I am going on 27 years old.

Q. Did you vote at the general election held in the election district of Houtzdale Borough, Clearfield County, Pennsylvania, on November 5, 1878?—A. Yes, sir.

Q. Did you vote at the Presidential election held in November, 1876?—A. Yes, sir.

Q. Did you or not, or some one for you, pay a State or county tax at the September court in 1876?—A. Yes, sir.

Q. Have you, since September, 1876, paid a State or county tax?—A. No, sir.

Q. Have you agreed or not with Pat. Dugan, a collector of State and

county tax, to pay it, and do you still intend to pay Dugan such tax?—A. If my vote is good, I will, and if it is not, I won't.

Q. When did you get a receipt from Dugan for State and county tax?—A. The day of the election of November 5, 1878.

Q. Did you vote at the general election held November 5, 1878, in the election district of said Houtzdale Borough?—A. Yes, sir.

Q. At said election of November 5, 1878, did you vote for Andrew G. Curtin or for Seth H. Yocum for Congress—that is, which of the two?—

A. Andrew G. Curtin.

Cross-examined.

Q. Is Patrick Dugan a tax collector for Houtzdale Borough?—A. All I know he is a constable, but I don't know about collector.

Q. Did you have an agreement with him about your tax?—A. I said I would pay him the taxes providing he did not get paid.

Q. When did you last pay a State or county tax?—A. In 1876 I got my papers and my first vote, and I got my receipt for my State and county tax from Mr. McAteer, and last election, in November, I got a receipt from Dugan.

Q. How do you know you voted for Andrew G. Curtin for Congress?—A. Because I read his name on the ticket.

And further saith not.

Attest:

[SEAL.]

PATRICK CAVANAGH.

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JACKSON KINKEAD sworn.

Question. Have you been collector of State and county taxes for Beccaria Township, Pennsylvania, and, if so, for what years and when did you first get the duplicates and collection of said taxes?—Answer. I have been collector for the years 1873, 1874, 1875, 1876, and 1877. I first got the duplicates in the fall of 1873—that is, the first one.

Q. Have you had charge of the collection of State and county taxes for that township ever since, until Samuel Hegarty became collector, in the fall of 1878?—A. Yes, sir.

Q. Has Dr. Caldwell, during that time, collected any State or county tax?—A. No, sir.

Q. Did William Ball pay you any State or county tax within two years preceding the election of November 5, 1878?—A. No, sir; William Ball has not paid me any State or county taxes since the year 1875.

Q. Did John Burke pay you any State or county tax within two years preceding the election of November 5, 1878?—A. He paid me State and county taxes in the year 1876; I don't believe I could fix the time at all; he paid it some time in that year for that year.

Q. State the time as nearly as you can, according to your own best recollection.—A. I think it was along some time in the forepart of 1877, because if it was paid after the 1877 duplicate came into my hands he would probably have paid both.

Q. Did George W. De Walt pay you any State or county tax within two years preceding the election of November 5, 1878?—A. He paid me in 1876, but not in 1877.

Q. What is your best recollection as to the time he paid it?—A. He paid it some time in 1876; in the after part, some time in the fall.

Q. Did Peter Risel pay you any State or county taxes within two

years preceding November 5, 1878?—A. He paid me in 1876, or John G. Glasgow paid it for him; that was the last night in order to be thirty days before the Presidential election.

Q. It was, then, in the first part of October, 1876?—A. Yes, sir.

Q. Has he paid you any State or county tax since?—A. No, sir.

Q. Did Thomas Groom, jr., pay you any of his State or county tax within two years preceding November 5, 1878?—A. Thomas Groom, jr., paid me his tax in 1876, along in the fall, some time after the Presidential election of 1876.

Q. Are you clear whether it was before or after the Presidential election?—A. I don't like to say that matter positive, because I'm not certain.

Q. Did you give him a receipt?—A. I think not; not that I recollect of.

Q. Was that the only State or county tax he paid you that fall?—A. Yes; that was all.

Q. Was that his tax for the year 1876?—A. Yes, sir.

Q. Was that the last of his State or county tax that he paid?—A. That is the last of his own individual tax.

Q. Did he since then pay State or county tax for his father?—A. No, sir.

Q. Did he since then pay you any State or county tax; and, if so, who was it for?—A. No, sir; but before that time he paid State and county tax for his father, George Groom, sr.

Q. How long before did he pay his father's tax?—A. It was some time last summer, and it was applied back to the 1875 duplicate.

Q. Then you mean to say that he paid his father's tax since the time he paid his own tax, do you not?—A. Yes, sir; I misunderstood the question before.

Q. Did he request you to apply that payment last summer to his father's tax, and did you so apply it?—A. Yes, sir.

Q. Do you not now remember that the tax which he paid in the fall of 1876, his own tax, was paid in time to enable him to vote at the Presidential election, and paid by John G. Glasgow with other taxes paid for other parties and for the same purpose?—A. Yes, sir; that was the time that ninety cents was paid; I remember the time, now you recall it to my recollection.

Q. Then you were mistaken, were you not, in saying that you thought it was paid after the Presidential election of 1876?—A. Yes; I was mistaken.

Q. Was that tax that Glasgow paid for him in time to vote at the Presidential election of 1876 the last of his State or county tax which he paid?—A. Yes; that was the last.

Q. Did S. C. Schoff, known as Sides Schoff, pay you any State or county tax within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Just state what occurred between you and him when you got ten bushels of corn from him, and what was said by you about it and his tax.—A. He asked me or said he would let me have the corn and wanted me to answer it on his taxes. I told him I would do so if I possibly could. I have never given him credit for it on his taxes.

Q. Why? Was it or not because you were unable to do so?—A. That was the cause of it, sir.

Q. There was, then, no positive agreement between you and him that you should credit the amount due him for said corn upon his State and county taxes, was there?—A. No, sir; there was no positive agreement.

Q. Did you ever agree to mark his taxes paid, or ever mark them paid, or give him credit in any way?—A. I have no recollection of anything of the kind, and I have never marked them paid.

Q. Was the only arrangement the one you have stated?—A. Yes, sir.

Q. What are George W. De Walt's politics?

(Objected to because George De Walt himself was a witness, and he is the best evidence.)

A. A Democrat.

Q. Is he not well known to be such in Beccaria Township?—A. Yes, sir; he was raised a Democrat, and always been one.

Q. Was he not the Democratic inspector who acted as such at the general election of November 5, 1878, in Beccaria Township?—A. Yes, sir.

Q. Was he not an active supporter of Andrew G. Curtin?—A. I suppose he was; I would not say positive.

Cross-examined:

Q. When did Lawson Shrock pay his State and county tax for 1877? (Objected to as not cross-examination and as immaterial.)

A. He paid that since the election of November 5, 1878; I have a positive recollection of that.

Q. Did Sides Shoff deliver to you the ten bushels of corn you spoke about in your examination-in-chief?—A. Yes, sir.

Q. What time did you have the conversation with Sides Shoff in relation to his giving you ten bushels of corn, the price of which he wanted you to apply to the payment of his taxes?—A. I don't remember the time; it was some time in 1876, after corn-husking.

Q. Did you tell him that you would give him credit for the price of the corn on his taxes?—A. I told him I would give him the credit for the corn on his taxes if I possibly could.

Q. Do you owe him for the corn yet?—A. Yes.

Re-examined:

Q. What time in the fall of 1876, as near as you can tell, did you have this conversation with him, and was it before or after the Presidential election of 1876?—A. I am not positive whether it was before or after.

Q. What is your best recollection?—A. I think it was after the election. And further saith not.

J. KINKEAD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN M. CHASE sworn.

Question. Where do you live and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is fifty-nine years.

Q. Where was you born.—A. In the State of Ohio, in 1820.

Q. Are you married?—A. I am.

Q. Did you and your wife reside in said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. We did; we have been there since 1852.

Q. Did you pay a State or county tax within the two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. I did.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Are you well acquainted with the township line between Woodward and Boggs Townships, at the point where Stacy T. Bowman and Milton H. Hampton reside?—A. I am.

Q. How long have you known it?—A. I have known it there ever since there was a township line between Boggs and Woodward.

Q. On which side of that line did Stacy T. Bowman and Milton H. Hampton live on November 5, 1878, and in what township?—A. On the north side of the line, in Boggs Township.

Q. Have you ever known of any change in that line except for school purposes?—A. I have not; there are four or five tracts struck off Boggs into Woodward for school purposes, but I know of no other change.

Q. Do not these men themselves claim to reside in Boggs Township?—A. I could not say that I know they reside in Boggs.

Cross-examined:

(Counsel for contestant having been absent from the room when the preceding questions were asked witness in reference to the line between Boggs and Woodward Townships, at the point where Stacy Bowman and Milton H. Hampton resides, now objects to the question of counsel for contestee, and the answers of the witness thereto, for the reason that the records on file in the office of the prothonotary of Clearfield County are the best evidence of any change in the township line, and also of the purpose for which the lands upon which Stacy Bowman and Milton Hampton reside was annexed and made a part of Woodward Township, Clearfield County, Pennsylvania, and parol evidence is not admissible or competent to prove the fact it is sought to prove by this witness until it shall have been shown that said records have been lost or destroyed, and parol evidence is not competent until it shall have been shown that all documentary proof has been lost or destroyed.)

Q. Does Milton Hampton live on what is known as the Philip Fisher farm, or on a farm taken from a tract of land known as the Philip Fisher tract?—A. I don't know the name of the tract, but it belonged to Philip Fisher.

Q. You do not pretend to say, do you, that the Philip Fisher farm was not annexed to Woodward Township for all purposes whatever before you came into the county?—A. I don't know anything about that; I know his buildings were in Woodward Township; they don't live in Fisher's buildings.

Re-examined:

Q. Do not Bowman and Hampton live across the line from the Fisher place from where Philip Fisher lived?—A. They do.

Q. Did not Fisher always live in Woodward Township, and on the Woodward Township side of that line?—A. Yes, sir; and died there.

Cross-examined:

Q. Does not Stacy Bowman and Milton Hampton live on the Philip Fisher farm?—A. Milton Hampton lives on the old improvement that was connected with the Fisher farm; Mr. Bowman moved still further into Boggs Township here, and I can't tell whether it belongs to that tract or not.

Q. Did you receive, or do you know of any moneys having been sent into Woodward Township to be used in the interest of Seth H. Yocum

at the election of November 5, 1878?—A. I never did, and don't know of a dollar.

Re-examined:

Q. Are not the Stacy Bowman and Milton Hampton improvements distinct from the Philip Fisher farm, and separated from the farm by the township line?

(Counsel for contestant objects to this question for the reason the township line has not been established by the best evidence.)

A. They were separated from where Philip Fisher lived.

And further saith not.

JOHN M. CHASE.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED. O'L. BUCK,

Amanuensis.

JACKSON KINKEAD recalled and resworn.

Question. Did Lawson Schrock pay you any State or county tax within two years preceding the election of November 5, 1878?—Answer. John G. Glasgow paid me his tax in 1876, at the same time he paid these other taxes referred to in my other testimony. It was paid on the night before the thirty days before the election of 1876.

Q. You mean the Presidential election of 1876, do you?—A. Yes, sir.

Q. Was that the last State or county tax he paid you?—A. That was the last except what he paid me since the election of November 5, 1878.

Q. Then, had Lawson Schrock within two years preceding the election of November 5, 1878, paid a State or county tax?—A. No, sir.

And further saith not.

J. KINKEAD.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED. O'L. BUCK,

Amanuensis.

Adjourned at 3.30 p. m., to meet March 24—at 11 o'clock a. m.

MARCH 24, 1879—11 o'clock a. m.

ROBERT STOTT sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 46 years.

Q. Where were you born?—A. England.

Q. At what age did you come to this country?—A. About eleven years old.

Q. Have you ever been naturalized?—A. No, sir; it was not necessary for me; father was naturalized.

Q. Why not?—A. Because I was under age when we came to this country; and then my father was naturalized.

Q. About how old were you when your father was naturalized?—A. I can't tell exactly; my father got naturalized as soon after he came to the country as he could.

Q. Your father would be naturalized, then, about five years after you got here, would he not?—A. He was naturalized as soon as he could lawfully be. I was young then, and don't remember much about it; father was here some time before I came.

Q. Do you remember whether it was before or after you got here that your father was naturalized?

(Objected to, because it is not proper to establish the naturalization of witness's father other than by the production of his father's certificate of naturalization from the court from which he was naturalized.)

A. I believe it was after, as near as I can remember.

Q. Was it a short or long time after?—A. A short time; there were several boys of us, and some of them was of age at the time father was naturalized; they got naturalized then, and the rest did not.

Q. Was it not because you were under age when your father was naturalized, that you were never naturalized?—A. Yes, sir.

Q. How long have you voted in Woodward Township?—A. Twenty years or more since I commenced to vote, and have voted ever since at every general election in Woodward Township.

Q. How long did you live continuously in Woodward Township immediately preceding the election of November 5, 1878?—A. I have lived there continuously for over twenty years.

Q. Are you married, and, if so, how long did your wife and family live there with you?—A. Yes, I am married; my wife and family have lived there with me for 22 years.

Q. Had you, within two years preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir; here are my receipts paid to county treasurer June 20, 1877, and also receipt from Thomas Henderson for tax paid last summer; receipt has no date.

Q. Did you vote in the election district of Woodward Township at the general election of November 5, 1878; and, if so, for whom did you vote for Congress?—A. Yes, sir; for Seth H. Yocum.

Q. Is Woodward Township in Clearfield County, Pennsylvania?—A. Yes, sir.

Cross-examined:

Q. At what part in the United States did your father land when he came from England?—A. Philadelphia.

Q. In what year?—A. I can't tell you what year. I was young.

Q. What part did you land at when you came to this country?—A. Philadelphia.

Q. What year was that?—A. I can't tell you exactly.

Q. How long was it after your father came?—A. I can't tell you; I think it was a year or more.

Q. Where in Pennsylvania was your father naturalized?—A. In Delaware County.

Q. Did he declare his intentions of becoming a citizen in Delaware County?—A. Yes, sir; he did.

Q. Did he get his final certificate of naturalization in Delaware County?—A. Yes, sir; in Old Chester.

Q. In what year did he obtain his final naturalization papers?—A. I can't tell you.

Q. How old were you at that time?—A. I was about twelve years of age, I suppose; a little over a year after I came here.

Q. Have you your father's naturalization papers in your possession?—A. Yes, sir.

Q. How long have you had them?—A. I have had them for twenty years, I know. I got them when he died, and he has been dead that long.

Q. What year did you first vote?—A. I voted for Buchanan for President first.

Q. Where did you vote?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. What proof of your father's naturalization were you required to make at that time?—A. To show father's papers.

Q. How often since that did you show your father's papers?—A. I have not shown them for a long time. I did take them several years.

Re-examined :

Q. What was your father's name?—A. Matthew Stott.
And further saith not.

ROBERT STOTT.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDK. O'L. BUCK,
Amanuensis.

MILLARD A. SHOFF sworn.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; my age is twenty-three on the 10th of last September.

Q. Did you live in Woodward Township on November 5, 1878?—A. No, sir.

Q. How long before that election did you and your wife and children move out of that township before the 5th of November, 1878?—A. Twenty-nine days.

Q. To what township did you go?—A. To Knox Township.

Q. How far is it from the place where you lived in Woodward to where you moved to in Knox Township?—A. About five miles, I think.

Q. When did you move from Knox Township back to Woodward Township?—A. I made a mistake the other night. I moved back on the 28th of January, 1879.

Q. When you left the township had you a house of your own or a rented house?—A. A rented house.

Q. Where in Woodward Township was that house?—A. At the village of Amesville.

Q. To what place in Woodward Township did you locate when you moved back on the 28th of January, 1879?—A. At Madera or Puseyville, about two miles from Amesville.

Q. When you went away from Amesville you gave up your house at that place, did you not?—A. Yes, sir.

Q. Did you rent a house at Madera when you went there?—A. Yes, sir.

Q. When did you rent that house at Madera?—A. In January, 1879, a few days before I moved there.

Q. Did you leave any of your goods in Woodward Township when you left there twenty-nine days before the election?—A. Yes, sir.

Q. What was it?—A. A couple of chairs, a churn, and some other small items.

Q. Can you name any other item?—A. I can't think just now.

Q. The rest of your goods you took with you, did you not?—A. Yes, sir.

Q. What kind of a house were you living in when in Knox?—A. A dwelling house.

Q. What business did you do or carry on while in Knox?—A. I made timber and boarded men for Samuel Bush. I worked by the day and boarded his men for him.

Q. Where did you get your supplies during that time?—A. Part in Clearfield Borough and part in Houtzdale Borough.

Q. From the time you left Woodward Township until you returned from Knox Township did you do or carry on any business in Woodward Township?—A. No, sir; I did not.

Q. How often were you in Woodward Township during that four months?—A. About twelve times, I suppose.

Q. Did you vote at the general election of November 5, 1878, in Woodward Township election district, Clearfield County, Pennsylvania; and, if so, for whom did you vote for Congress?—A. Yes, sir; I voted.

Q. For whom did you vote for Congress at said election, Andrew G. Curtin or Seth H. Yocum, which one of the two?

(Objected to because it is a question of privilege which witness need not answer until it shall have been first shown that his vote was illegal, which has not been done in the case.)

A. I decline to answer that question.

(Notary public desires to state that witness did not refuse to answer until he had been instructed and advised by G. R. Barrett, jr., that the answering the question was a matter of privilege, and he could decline or answer said question as he thought fit. This instruction was given witness after notary had instructed him to answer the question.)

Q. What ticket did you vote at the election of November 5, 1878; Republican or Democratic?

(Objected to because this is only another form of asking the witness for whom he voted for Congress, which witness has already declined to answer.)

A. I decline to answer this question.

Q. Who gave you your ticket that you voted at that election?

(Objected to as another endeavor on the part of counsel to ascertain for whom witness voted for Congress, which the witness has already twice declined to answer.)

A. I decline to answer that question.

(Counsel for contestee protests against the counsel for contestant's course in advising and urging witnesses for contestee to not answer questions asked them, for the following reasons, to wit, for the reasons already stated in like protest to like objections and efforts to improperly influence witnesses in preceding examination and; also, as appears by the record of contestant's case in chief, contestant's counsel solemnly declared the law to be that a witness in like case was bound to answer whether his vote was proven legal or illegal, which record is as follows:

"February 11, 1879.—Benjamin Barr sworn.

"Q. Did you vote in Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

"Q. For whom did you vote for Congress at said election?—A. Is my vote illegal? I don't think I am bound to tell unless it is.

"(Counsel for contestant states this to be his position on the law in contested elections in reference to the testimony of witnesses: The counsel says he is of the opinion that no witness can, under the constitution and laws of this State and of the United States and under the rulings of the courts thereof, withhold his testimony in answer to the above question, or any other question of like nature, in proceeding or investigations of contested elections.)

"Whereupon the notary public instructed the witness to answer the question, which was done after the question being again asked:

"Q. For whom did you vote at the general election of November 5,

1878, for Congress, which said election is now being contested and investigated?—A. Well, I voted for Seth H. Yocum.”

Counsel for contestee having stated his reasons for protesting against the interference and efforts of contestant's counsel to improperly influence the witness, proceeds with his examination of witness.

Counsel for contestant objects to the above so-called extract from the testimony of Benjamin Barr, who was called and whose testimony was taken on part of the contestant, for the following reasons: First, for the reason that in the examination of Christ. Frederick, a witness called and examined on the part of the contestee, counsel for contestant then stated, in an objection or reply to a statement made by counsel for contestee, in substance as follows: “That no man or witness under the laws of Pennsylvania can be compelled to testify for whom he voted for Congress until his vote shall first have been shown to have been illegal, and that any other course tends to destroy the constitutional secrecy of the ballot, and is contrary to the statute laws of Pennsylvania.”

Counsel for contestant, after having given the subject further consideration, and after having carefully and diligently examined the laws of the United States and of the commonwealth of Pennsylvania and the rulings and construction placed upon said laws by both the Federal and the State courts, and after consulting other counsel, all state as their opinion in reference to whether a witness can be compelled to disclose for whom he voted, viz, that no witness can be asked, or compelled to disclose, how he voted until it shall have been first shown that he was an illegal voter.

Counsel for contestant further state that in the case of Benjamin Barr, witness for contestant, no compulsory process was used in order to compel him to disclose how he voted.

Counsel for contestee says the foregoing explanation has its proper exposition in the fact that it is made by J. F. Snyder, who also conducted for contestant the examination of Benjamin Barr, just quoted from the record.)

Q. For whom did you vote for Congress at the election of November 5, 1878, which election is contested and now being investigated?

(Objected to, because the same question has already been asked witness, and he, in the exercise of what he conceives to be his right under the law, has declined to answer.)

A. I would not answer it a while ago, and I am not going to answer it now.

Q. Do you decline to answer that question?—A. Yes, sir.

Q. Have you or not been advised to not answer that question by persons outside of this room?

(Objected to as irrelevant and immaterial, it making no difference what advice witness has received on this subject, he having a perfect right to confer with counsel as to whether he is compelled to answer the question or not.)

A. No; I was told I could do as I pleased about answering the question.

Q. By whom were you so told?—A. By Mr. Patterson.

Q. Do you mean W. H. Patterson, the attorney-at-law of Houtzdale, who has his office or had his office in the same building with Matt. McAteer, the Democratic justice of the peace of Houtzdale?—A. I don't know where the man had his office, and I don't know whether that is his first name or not.

Q. Was the man who told you that a Democratic lawyer of Houtzdale?—A. Yes, sir.

Q. Did he not advise you to not answer?

(Objected to as leading.)

A. No, sir; he did not.

Q. Did you tell him for whom you voted for Congress?—A. I don't remember whether I did or not.

Q. Do you state on oath that you don't remember telling Patterson for whom you voted for Congress?—A. Yes, sir; I do state so on oath, because you asked me the question once and I told you.

Q. Did William Tucker, of Clearfield, talk to you at any time in reference to your testimony in this case?—A. Yes, sir; I believe he did.

Q. How long ago?—A. Friday evening, when I was here in town.

Q. What did he say?—A. Well, he said a good many things; well, about all he said to me was that I could do as I pleased about telling who I voted for for Congress.

Q. Was that all that he said to you?—A. I think that was all bearing on this case.

Q. Is William Tucker a lawyer?—A. I don't know whether he is or not.

Q. Which side of this fight has Tucker been fighting on?—A. Curtin's side.

Q. Which side of this fight is Patterson acting on?—A. Curtin's side, I believe.

Cross-examined:

Q. When you left Woodward Township and moved into Knox Township, did you go there for the purpose of remaining there permanently?—A. No, sir; I did not.

Q. Did you consider Woodward Township your home?—A. Yes, sir; I did.

Q. How long have you lived in Woodward Township?—A. About twenty-three years, except the time I was in Knox Township.

Q. What was your purpose in moving into Knox Township?—A. To board some men for Samuel Bush and make timber.

Q. Did you intend moving back into Woodward Township as soon as you finished your work for Bush?

(Objected to as putting a desired answer in the mouth of a witness who has already sworn that he has been tampered with by parties in the interests of contestant.)

A. Yes, sir; I did.

Q. Had you any intention of losing your residence in Woodward Township and acquiring a new one in Knox?

(Objected to because it is a question of law the witness is asked to decide.)

A. No, sir.

Q. Did you have part of your household goods in Woodward Township when you left there?—A. Yes, sir.

Q. Had you within two years and more than one month prior to the 5th day of November last paid either a State or county tax?—A. I paid my tax some time in the summer of 1878.

Q. Did you vote any place else in November last, except in Woodward Township?—A. No, sir.

Q. Did you offer to vote any place else except in Woodward Township?—A. No, sir; I did not.

Q. Then you considered Woodward Township your home and legal residence on the 5th of November, 1878?—A. Yes, sir; I did.

Q. You have testified that Mr. Patterson spoke to you in relation to

answering the question of "for whom you voted for for Congress." Did he not tell you that you were not compelled to answer such a question until it should have been first proven that your vote was illegal?

(Objected to as putting a desired answer in the mouth of a witness whose own testimony shows that he has been tampered with, and for the further reason that he has already sworn that Patterson without any such qualification had told him he need not tell for whom he voted for Congress.)

A. Yes, sir; he told me I could do as I pleased about answering the question.

Q. Did you have any conversation with any one connected with the contestee in relation to the subject-matter of your testimony before you came upon the witness stand?—A. No; I believe not, without Asbury Chase is.

Q. Don't you know that Asbury Chase is here as one of the counsel for contestee?—A. No, sir; I did not know it.

Q. What did Mr. Chase say to you?—A. He told me I had better answer the questions asked me this forenoon, or they would send me to Pittsburg.

Re-examined:

Q. When you left that house at Amesville and moved to Knox Township, when did you intend to return to Woodward Township?—A. As soon as the job was done I was working at.

Q. Did you intend to return to that house?—A. No, sir.

Q. When did you first make an arrangement for a house in Woodward, after leaving there to go to Knox?—A. A few days before I moved from Knox to Woodward.

And further saith not.

M. A. SHOFF.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

DANIEL J. KLINE recalled and sworn.

Question. Are you acquainted with Millard A. Shoff, the last witness called?—Answer. I never saw him to know him till I saw him to-day. (Millard A. Shoff, the last witness, appears in the room.)

Q. Is that the man (pointing to Millard A. Shoff)?—A. No, sir; that is not the man.

Q. Did he have any conversation with you?—A. No, sir.

And further saith not.

D. J. KLINE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

ALBERT KLINE sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am twenty-three last January.

Q. How long did you live in Woodward Township continuously, im-

mediately preceding November 5, 1878?—A. About twenty-two years—a little over; I was born and raised there.

Q. Are you married or single?—A. Single.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir; here is my receipt from Thomas Henderson, collector, dated September 30, 1878; I paid the tax on the day called for in the receipt.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania; and, if so, for whom did you vote for Congress at said election?—A. Yes, sir; I voted for Seth H. Yocum.

Q. Do you know Millard A. Shoff, a witness called in this room a few minutes ago; and, if so, how long have you known him?—A. No, sir; I don't know him in particular; I had no conversation with him until to-day.

Q. Do you know him now?—A. By sight, that is all; I know him so as to recognize him, and know who he is.

Q. Had he any conversation with you between the time the hearing in this room adjourned for dinner, and the time the investigation began after dinner?—A. Yes, sir; he had.

Q. Did he in that conversation say for whom he voted for Congress at the election of November 5, 1878; and, if so, for whom did he say he voted?

(Objected to because Millard A. Shoff's assertions to a miscellaneous crowd, of which witness might have been one, is not competent proof of how or for whom he voted for Congress.)

A. He did not say for Congress, he said he voted for Curtin.

Q. How did he come to say this, and state herein particularly the conversation on that point?—A. I asked him there in the bar-room what they was going to do with him; he said he did not know hardly what; I said to him, "Who did you vote for?" and he kind of laughed and said, "Curtin."

Q. Did he say this to you individually or to a crowd?—A. No, sir; not to a crowd; he was talking to me individually.

Q. Did he say this in a low tone or a loud tone of voice?—A. Just common talk.

Q. Do you know what his politics are, or did he tell you?—A. No, sir; I don't know, and he did not tell me.

Q. What persons was he with mostly, during the adjournment for dinner; Curtin's friends or Yocum's?—A. I know not.

Cross-examined:

Q. How do you know the man with whom you had the conversation just described was Millard A. Shoff?—A. By hearing different men talk to him and call him by name.

Q. Did you ever have any conversation with him before?—A. No, sir.

Q. Are you in the habit of asking impertinent questions of people you don't know?—A. Not often; just through conversation I happened to talk to him.

Q. Did you ever see Millard A. Shoff before to-day?—A. Not that I remember of.

Q. How many Millard A. Shoffs are there in Woodward Township?—A. I could not tell you.

Q. Is it not possible that there are two Millard A. Shoffs in Woodward Township?—A. I can't tell you that.

Q. To whom did you communicate the remarkable conversation you

have detailed on the witness stand?—A. To no one until here on the witness stand.

Q. Do you say upon your oath that you told no one of this conversation until you repeated it upon the witness stand?—A. I did not understand you; I made a mistake. I told it to a cousin of mine, Daniel J. Kline, and to Mr. Murray, and to W. A. Chase.

Re-examined:

Q. Is this man (pointing to Millard A. Shoff, the witness examined a few minutes ago) the man with whom you had that conversation?—A. Yes, sir.

Q. Is he the man who told you he voted for Curtin?—A. Yes, sir. And further saith not.

his
ALBERT + KLINE.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

W. H. JOY sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 62.

Q. Are you a married man, and how long have you and your family resided in Woodward Township, continuously, immediately preceding November 5, 1878?—A. Yes, sir, I am married; we came there in 1852, and have resided there continuously ever since; about twenty-eight years.

Q. Where were you born?—A. In State of Maine.

Q. Had you, within two years preceding the general election of November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before that election?—A. I think I did.

Q. Fix the time as nearly as you can when you last paid a State or county tax?—A. We pay all along; I paid some last summer to John M. Chase.

Q. What other tax did you pay within two years, and to whom?—A. To Joseph G. Higgins.

Q. Was Joseph G. Higgins collector of State and county taxes?—A. Yes, sir; that is what he claimed to be.

Q. Did you pay such tax to him?—A. Yes, sir.

Q. What year did you pay him such tax?—A. 1877, I think; I had to pay him double; I paid to the treasurer at Clearfield, and then I had to pay it here.

Q. What time in the year 1877 did you pay Higgins that State and county tax?—A. I could not say.

Q. You can fix the year as 1877?—A. Yes, sir; if I had known you wanted it I could have brought the receipt.

Q. Have you the receipt at home?—A. Yes, sir; no, I will recall that, I paid this tax twice, and in order to have it rectified I gave both the receipts to Squire Shaw, of Houtzdale, and Shaw has left the county, so I cannot get the receipts now.

Q. What real estate are you the owner of?—A. None, sir.

Q. Did you vote in the election district of Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. What ticket did you vote?—A. The Republican ticket throughout.

Q. Did you vote for Andrew G. Curtin or for Seth H. Yocum for Congress?—A. I voted for Yocum, sir.

Cross-examined:

Q. Did you pay all the tax Higgins, the collector, had on his duplicate against you?—A. I paid all he presented and took his receipt.

Q. How do you know it was a State or county tax you paid?—A. He told me so. I don't want to be too minute on those questions; I can't remember, it is too long.

Q. To whom did you pay your school and poor tax for the year 1877?—A. I can't recollect; but I think it was settled by the way of Chase, if settled at all; I think there is some tax due there yet.

Q. Are you sure you paid Higgins all your State and county tax for 1877?—A. I think I did.

Q. You say you paid Mr. Chase some tax last summer; what tax was it?—A. I think it was school and poor tax.

Q. Was Mr. Chase a tax-collector?—A. Well, I think he was; he received the taxes anyhow.

Q. Was he the collector of State and county tax for Woodward Township for the year 1878?—A. I don't know.

Q. Did you pay him any State or county tax last summer?—A. No, sir; I did not pay Mr. Chase any State or county tax.

Q. I understand, then, that the only State and county tax you had paid within two years and more than thirty days prior to the 5th day of November last was that which you think you paid to J. G. Higgins and the county treasurer?—A. I paid them both and took receipts for them, and handed them to Shaw.

Q. Was not that in the year 1876?—A. I think it was 1877.

Q. Will you swear positively it was in 1877?—A. No, sir; but I think it was in 1877.

Re-examined:

Q. Do you know if your name was on the registry-list of Woodward Township for 1878?—A. I don't know, but I suppose it was.

Q. According to your best recollection you paid that tax to Higgins and the county treasurer in the year 1877, did you not?—A. I think so.

And further saith not.

Attest:

[SEAL.]

WM. H. JOY.

WM. RADEBAUGH.

Notary.

FRED'K O'L. BUCK.

Amanuensis.

W. H. JOY recalled and resworn.

Question. Has your wife any real estate?—Answer. Yes, sir; she has.

Q. Who manages that real estate and pays the taxes on it?—A. I do.

Q. Where is that real estate situated?—A. In Knox Township, Clearfield County, Pennsylvania.

Q. Who is the collector?—A. Alfred Wise is the constable and collector of State and county tax.

Q. In whose name is that real estate assessed?—A. I don't know.

Q. State whether you paid or any one paid State or county tax for

you on that real estate in Knox Township?—A. My son paid it last summer.

Q. To whom did he pay it?—A. To Wise, the collector.

Q. Did he pay it by your direction?—A. Yes, sir.

Q. Is that seated land?—A. Yes, sir; 80 acres are cleared and about 70 acres timber land.

Q. Who farms and manages that land?—A. I have done, it or had it done by my direction.

Q. What is your son's name who paid those taxes?—A. W. W. Joy. And further saith not.

WM. H. JOY.

Attest:

[SEAL.]

WM. RADEBURGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

W. W. JOY sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 26 past.

Q. Were you born in Pennsylvania, and did you reside for over two months continuously immediately preceding November 5, 1878, in the election district of Woodward Township?—A. I have.

Q. Are you married or single?—A. Married.

Q. Did your family reside with you continuously for at least two months immediately preceding November 5, 1878?—A. Yes, sir; I was back and forward to a place out there in Knox Township.

Q. Where was your residence and home?—A. In Woodward Township.

Q. Did your family continue in Woodward while you were out there?—A. I went out to work sometimes on Monday and sometimes in the middle of the week; sometimes my wife went with me to the shanty to cook and sometimes she did not; but my home and residence was all the time in Woodward Township. I returned to Woodward Township every Saturday night.

Q. Were you and your wife at home on Saturday night and Sunday of each week?—A. Yes, sir; generally.

Q. Was that the mode of doing during the two months immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you reside in Pennsylvania for more than one year immediately preceding that election?—A. Yes, sir.

Q. Had you within two years immediately preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election of November 5, 1878?—A. Yes, sir.

Q. When and to whom did you pay that tax?—A. I paid one tax; I could not say whether it was State or county, it was one or the other, to Jesse Williams, I think about two years ago last month, or in February, 1877.

Q. Was Williams collector of State and county taxes?—A. He was justice of the peace and he had duplicates to collect.

Q. Do you know for what township he had the duplicates to collect?—A. It must have been Woodward Township or he could not have had any against me.

Q. Do you know whose duplicate he was collecting?—A. I can't say I think it was Higgins's first.

Q. May it not have been John Malee's duplicate?—A. It might have been.

Q. Who was the collector of Woodward before J. G. Higgins?—A. I can't tell you his name.

Q. What year's tax was it you paid Williams?—A. I don't think he was collector; he might have been collector before, though; I can't tell you what year's tax, I have not the receipt with me.

Q. Was it an old tax or a new one when you paid it?—A. It might have been a year and a half old; I don't think it was older.

Q. Did you pay any other State or county tax within two years, and if so, to whom?—A. I paid the 25 cents tax; I am certain it was within two years. I can't remember his name, but I think he was subcollector.

Q. Was it a State or county tax?—A. Yes, sir.

Q. When was that paid?—A. In March, 1877, I think.

Q. For whom did you vote in the election district of Woodward Township at the general election of November 5, 1878, for Congress?—A. Seth H. Yocum.

Q. This place or property you speak of in Knox Township, where you worked, to whom is it assessed?—A. It is assessed to W. H. Joy, my father.

Q. Does he or does he not have the management and control of that property?—A. He did not last year altogether. My father has managed it part of the time and part of the time I have.

Q. Has or has not your father the general direction and supervision of that property?—A. He has had only partly.

Q. Did you by his direction or not pay for him a State or county tax upon that property within two years preceding the election of November 5, 1878?—A. I paid a tax then; I can't say whether he just directed me to pay it or not; as a general thing when a collector came to me and presented a tax against my father I generally paid it.

Q. When did you pay a State or county tax upon that property for your father?—A. Last summer, to Alfred Wise, constable and collector of Knox Township.

Q. How long had that property been assessed in your father's name?—A. I can't say the exact time. The first few years it was assessed to my mother after she bought it; the duplicates came out after that assessing it to my father.

Q. Did your father or you for him always pay the State or county tax on that property?—A. My father and I always paid the State and county taxes for my mother.

Q. What do you mean by saying you paid it for her?—A. The property belongs to her, I mean, and was assessed to my father.

Q. Who attended from year to year to the payment of the tax on that property?—A. My father, generally.

Cross-examined:

Q. Do you and your wife keep house?—A. Yes, sir.

Q. Were you keeping house during the two months prior to the 5th of November, 1878?—A. Yes, sir.

Q. Then when you went over into Knox Township with your wife you closed up your house, did you?—A. No, sir.

Q. How do you fix February, 1877, as the time you paid Squire Williams a State or county tax?—A. By the receipt I have at home.

Q. What is the date of that receipt?—A. It is dated 1877, but I can't tell you the month exactly.

Q. Are you sure it is dated 1877?—A. Very certain.

Q. Is the title to the property you have testified about in Knox Township in your mother?—A. Yes, sir; it is in mother's name.

Q. Then it always should be assessed in the name of your mother, should it not?

(Objected to because witness's father has sworn that he, the father, had the management of the property, and attended to the payment of the taxes on it.)

A. I will have to apply to some of you lawyers who know more about it.

Q. Are you certain the tax you paid on the Knox Township property was a State or county tax, and a tax on the land?

(Objected to because the latter part of the question is inserted to entrap the witness; there is no objection to asking the witness what kind of tax it was.)

A. State and county tax.

Q. Did you get a receipt for the tax?—A. Not yet, I have not.

Re-examined:

And further saith not.

W. W. JOY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED. O'L. BUCK,
Amanuensis.

Adjourned at 6.30 to meet at 7 o'clock p. m.

Examination resumed at 7.10 p. m.

WM. R. JONES sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania, and am sixty-six years old.

Q. Where were you born?—A. Wales.

Q. Have you been naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir. (Witness produces his certificate, dated September 4, 1848, signed by C. M. Straub, with the seal of the court of Schuylkill County attached.)

Q. Were you naturalized on September 4, 1848?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in Woodward Township, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. How long have you been living in said Woodward Township?—A. A little over four years.

Q. Had you within two years preceding November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir. (Witness produces receipt dated September 26, 1878, for his State and county tax for 1877, signed by J. G. Higgins, per Home.)

Q. Did you pay said tax on September 25, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Are you certain you voted for Seth H. Yocum for Congress?—A. Yes, sir.

Cross-examined :

(Counsel for contestant proceeds to cross-examine while objecting to all that part of witness's testimony taken previous to the question "had you within two years and more and one month before the election of November, 1878, paid a State or county tax," because all the testimony of witness taken prior to said question was taken in the absence of contestant's counsel.)

Q. How long have you lived in the election district of Woodward Township?—A. About four years.

Q. How often have you voted in the election district of Woodward Township?—A. Every election since I have been there.

Q. Did you exhibit to the election officers of Woodward Township at the election held November 5, 1878, the certificate of naturalization produced by you on the witness' stand?—A. No, I don't think I did. I had exhibited them before, and they knew me; they did not ask me for them.

Q. From whom did you get the tax receipt produced by you upon the stand?—A. From Constable Higgins.

Q. Did Higgins himself give you the receipt?—A. No, sir; from Mr. Home, who was helping Higgins.

Q. Was Seth H. Yocum's name written or printed upon the ticket you voted?—A. Printed.

And further saith not.

WILLIAM R. JONES.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

G. D. BENN sworn.

Question. Where do you reside, and what is your age?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania; I am thirty-two years old.

Q. Where were you born?—A. In Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did your wife reside in the election district of Houtzdale Borough continuously for the one whole year and more immediately preceding the general election of November 5, 1878?—A. No, sir.

Q. When were you married?—A. In 1869.

Q. Did you and your wife reside in said Houtzdale Borough continuously for the two months and more immediately preceding November 5, 1878?—A. No, sir; we resided in Woodward Township during that time.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. To whom and when did you pay such tax?—A. I paid it to John Malee, collector, some time during the summer of 1878, probably two or three months before the election; might be a little more, might be a little less.

Q. Are you certain you paid Malee such tax at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election of November 5, 1878, in the election district of said Woodward Township?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. At said election of November 5, 1878, for whom did you vote for Congress?—A. Seth H. Yocum.

Q. Are you certain?—A. Yes, sir.

Cross-examined:

Q. Who did you pay this tax to for which you hold this receipt?—A. To John Malee.

Q. Did you pay the tax yourself?—A. Yes, sir; that is, I paid it this way. There is a man living in a house of mine and he paid my taxes and he deducted the amount from the rent.

Q. Did you rent the house you speak of to the tenant with the understanding that he was to pay you so much rent and all taxes on that property?—A. I rented it with the understanding that all taxes he paid should be deducted from the rent.

Q. When did you settle with your tenant for the rent of your house?—A. It was customary and I did settle with him on the 20th of each month.

Q. When did he give you the receipt; your tenant, I mean?—A. In August, 1878.

Re-examined:

Q. Had you paid other State or county tax within two years preceding November 5, 1878?—A. I am not positive whether I have or not. And further saith not.

G. D. BENN.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED. O'L. BUCK,

Amanuensis.

BENONI BOSWORTH sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 29 years.

Q. Were you born in Pennsylvania?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I did.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir. (Witness produces receipt dated May 30, 1878, for his county and State taxes which is signed by D. McGaughey, treasurer of Clearfield County.)

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth D. Yocum.

And further saith not.

BENONI BOSWORTH.

Attest:

[SEAL]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JOHN GOULD sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is between 21 and 22; I was 21 on July 24, 1878.

Q. Where were you born?—A. In Wales.

Q. How old were you when you came to the United States?—A. About nine years of age.

Q. Did your father come with you?—A. No, sir.

Q. When did your father come to this country?—A. I could not tell you.

Q. Where was your father born?—A. In England.

Q. Has your father been naturalized?

(Objected to because witness should produce his father's certificate of naturalization or a certified copy of record from the court in which he was naturalized, which is the best and only competent proof of his father's naturalization.)

A. Yes, sir.

Q. About how many years ago?—A. I don't know; about 10 or 12 years, I guess.

Q. Have you frequently seen his naturalization papers or certificate of citizenship, and did you see it shortly before November 5, 1878?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum.

Cross-examined:

Q. When did your father come to this country?—A. About ten or twelve years ago, to the best of my knowledge.

Q. At what point in the United States did he land?—A. I don't know.

Q. Did you come over with him?—A. No, sir.

Q. How long after he came over did you come?—A. I don't know.

Q. Who brought you over?—A. My mother.

Q. Where was your father when you came over?—A. In Broadtop, Huntingdon County, Pennsylvania.

Q. In what year was that?—A. I don't mind.

Q. In what State was your father naturalized?—A. In Pennsylvania.

Q. In what part of the commonwealth of Pennsylvania was he naturalized?—A. I ain't certain, but I think in Huntingdon County.

Q. In what county in Pennsylvania did he declare his intentions to become a citizen of the United States?—A. In Huntingdon County, I think. I am not certain.

Q. In what county in Pennsylvania did he receive his final certificate of naturalization?—A. In Huntingdon County, I think; I am not certain.

Q. You say you have frequently seen your father's naturalization papers. Do you know the difference between the first papers, or declaration of intentions, and the last papers, or final certificate of naturalization?—A. No, sir.

Q. Then, if you have seen his papers, you don't know whether it was the declaration of intention or the final certificate of naturalization?—

A. No; I could not tell, but I have heard him say they were his full citizen papers.

Q. Where does your father reside?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where did he reside on the 5th day of November, 1878?—A. Woodward Township.

Q. Did he go with you to the polls in the election district of Woodward Township, and by producing his certificate of citizenship before the board holding the election for said district, claim for you the citizenship acquired by you by his naturalization?—A. Yes, sir.

Q. Did he take with him his papers and show them to the board?—A. Yes, sir.

Q. When were you born?—A. In 1857, July 24.

Q. Who told you you were born on the 24th of July, 1857?—A. I saw the family record.

And further saith not.

JOHN GOULD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

SOLOMON LOW sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am between twenty-four and twenty-five years.

Q. Where were you born?—A. In Decatur Township, now Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married, and, if so, did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir, I am married; and we resided in Woodward Township for that time.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. When and to whom?—A. In 1877, to Joseph Higgins.

Q. Are you not sure it was a State and county tax you paid Higgins in 1877?—A. Yes, sir; I am sure.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Yocum, I believe.

Q. Did you not vote at said election for Seth H. Yocum for Congress or was it for A. G. Curtin; which of the two?—A. Seth H. Yocum.

Q. About what time in 1877 did you pay Higgins said tax?—A. Some time in the spring. I calculated to get a receipt, but never did it.

Cross-examined:

Q. How do you fix the spring of 1877 as the time you paid your tax?—A. I don't know, but I remember meeting Joseph Higgins and paying him at that time.

Q. How do you know it was 1877?—A. Joseph Higgins told me it was the 1877 tax, I think, but I am not sure.

Q. Might it not have been in 1876 that you paid Higgins that tax?—

A. I paid some in 1876, but I don't know what it was. I paid them in 1877, that is the reason it was not 1876.

Q. Do you say upon your oath that you paid this tax to Higgins in 1877?—A. Yes, sir.

Q. Who gave you your ticket on the 5th of November, 1878?—A. Hiram Nuttenburger and Mr. Deafenbaugh, they gave me my ticket.

Q. How many tickets did they give you?—A. They both had tickets of the same kind.

Q. Did you read your ticket carefully before voting it?—A. No, sir; I saw Yocum on it.

Q. Can you read?—A. Yes, sir.

And further saith not.

SOLOMON LOW.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDERICK O'L. BUCK,

Amanuensis.

RICHARD HOOK sworn :

Question. Where do you live, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; I am 34 years old.

Q. Where were you born?—A. England.

Q. How old were you when you came to the United States?—A. In the neighborhood of six years of age.

Q. Has your father been naturalized, and if so, will you produce his certificate of naturalization?—A. Yes, sir. (Witness produces certificate of naturalization of Thomas Hook, his father, dated February 6, 1857, which is signed by Jacob Eyerly, prothonotary, and to which is attached the seal of the court of common pleas of Columbia County, Pennsylvania.)

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of Houtzdale Borough, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. To whom and when?—A. To John Malee, collector. Witness produces receipt of John Malee, collector, dated September 22, 1877, for his State and county tax for 1877.

Q. Was John Malee, collector of State and county taxes, and did you pay him such tax on September 22, 1877?—A. Yes, sir.

Q. Did you vote in the election district of Houtzdale Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Is not the certificate of naturalization of your father (after examining it carefully) signed as follows: "Jacob Eyerly, prothonotary, per Michael F. Eyerly, deputy?—A. Yes, sir.

Q. Is Thomas Hook, whose certificate of naturalization is produced, your father?—A. Yes, sir.

And further saith not.

RICHARD HOOK.

Attest.:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDERICK O'L. BUCK,

Amanuensis.

DANIEL D. JONES sworn :

Question. Where do you live, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; my age is fifty-two years.

Q. Where were you born?—A. In South Wales, sir.

Q. How long ago did you come to the United States?—A. Fourteen years ago this month.

Q. Have you been naturalized, and, if so, where is your certificate of naturalization?—A. Yes, sir. The certificate of naturalization is at my home.

(Counsel for contestant objects to all attempts to prove witness' naturalization save by the production of his certificate of citizenship or a certified copy of record from the court that granted his naturalization.)

Q. When and where were you naturalized?

(Objected to because it is not competent—the naturalization of witness by parol proof.)

A. About last summer, at Clearfield, at May court of Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; for five years.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. I did, sir; every time the collector called for it.

Q. To whom and when did you pay said tax?—A. I paid the last State and county tax to Thomas Henderson about two or three months before the election of November 5, 1878.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. When you presented your vote at said election did you also show to the board your certificate of citizenship?—A. I did, sir.

Q. Did the election board examine it?—A. Yes, sir.

Q. After such examination did they receive your vote?—A. They did, sir.

Q. For whom did you vote at said election for Congress?—A. I voted for Mr. Yocum, sir.

Q. Do you mean Seth H. Yocum?—A. I do, sir.

Q. Are you certain?—A. I know it.

Cross-examined :

Q. Where did you first declare your intentions of becoming a citizen?—A. Wellsborough, Tioga County, Pennsylvania.

Q. When?—A. About eleven years ago, sir.

Q. When did you obtain your second papers?—A. Last summer, in the Clearfield court.

Q. Were you naturalized in open court?—A. I was, sir.

Q. Who were your witnesses?—A. David Letz and 'Squire Woodin.

Q. Did you get a receipt for the taxes you paid Henderson?—A. I did, sir.

Q. Where is that receipt?—A. It is at home.

Q. What is the date of that receipt?—I cannot remember.

Q. Was it dated 1876, 1877, or 1878?

(Objected to, because witness has already testified that he paid Henderson such tax about two months or more before November 5, 1878.)

A. In 1878.

Q. Are you sure you paid that tax before the 5th of October, 1878?—

A. Yes, sir; I can swear to it.

Q. How do you know you voted for Seth H. Yocum for Congress?—

A. Because I had faith in him more than I had for Curtin.

Q. Did you carefully read your ticket on the 5th of November last before voting it?—A. I did.

Q. What was on your ticket?—A. Nothing, only I was voting for him for Congress to make good laws for us.

Q. For what other officers did you vote for besides Congress?—A. I voted the whole Republican ticket.

Q. Can you read?—A. Yes, sir; I can in Welsh.

Q. Was the ticket you voted on November 5, 1878, printed in Welsh?—

A. It was not.

Q. Then you did not read the ticket you voted on that day?—A. I did.

Q. Can you read English?—A. I can when I have some time to spell it.

Q. Did you take time to spell out the name on your ticket?—A. I had a man who was a good reader, a Welshman, read it off for me.

Q. Then it was by this man reading it off for you you know for whom you voted?—A. Certainly.

Q. Then you do not know of your own knowledge that you voted for Seth H. Yocum, but only what the man read to you from the ticket?—A. I did; I read it myself.

Q. Have you been drinking since you came here to-day?—A. Not enough to hurt me.

Q. How many drinks have you had this afternoon and evening?—A. It don't make any difference as long as I paid for it.

Q. Do you consider yourself sober enough to understand the solemnity of an oath?—A. I do, sir.

Re-examined:

Q. From whom did you get your ticket you voted at said election?—A. I got it from Diffenbaugh.

Q. Was Diffenbaugh a Curtin or a Yocum man?—A. An old Republican, and for Yocum.

Q. Did you and the man you spoke of, or did you not, read over your ticket together?—Yes, sir; I had good faith in him.

And further saith not.

DANIEL D. ^{his} + JONES.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE PEARCE sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 49 years old.

Q. Where were you born?—A. In England.

Q. When did you come to the United States?—A. Ten years this coming April, 1879.

Q. Have you been naturalized; and, if so, will you produce your naturalization papers?—A. Yes, sir.

(Witness produced certificate of naturalization, dated September 26, 1876, signed by Eli Bloom, prothonotary, and to which is attached the seal of the court of the common pleas of Clearfield County, Pennsylvania.)

Q. Were you naturalized in open court in Clearfield County on September 26, 1876?—A. Yes, sir.

Q. Had you within the two years preceding, that is, immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election of November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated September 22, 1877, for State and county tax for the year 1877, signed by J. G. Higgins.)

Q. Was J. G. Higgins collector of State and county tax, and did you pay him such tax, on September 22, 1877?—A. He was; and I paid it on the date of the receipt.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. From whom did you receive your ticket that you voted on November 5, 1878?—A. John Trueman.

Cross-examined:

Q. In what State did you declare your intention of becoming a citizen?—A. In Clearfield court, Pennsylvania.

Q. Did you read the ticket carefully when you voted it?—A. Yes, sir; I am a full-bred Republican.

Q. Did you take your naturalization papers to the polls on the day of election of November 5, 1878, and produce them to the election board?—A. We did not this last time, sir; we had to swear to having them. I believe I did take them to the polls when we voted for Congress. I was thinking of the township election first.

And further saith not.

his
GEORGE + PEARCE.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 11.25, to meet at 8 o'clock a. m. March 25, 1879.

PHILIP MAYHUE sworn.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 29 years old.

Q. Was you born in Pennsylvania?—A. Yes, sir.

Q. Are you married; and, if so, did you and your wife reside in the election district of said Woodward Township continuously for the one whole year or more immediately preceding November 5, 1878?—A. Yes, sir; I am married, and my wife and I resided as stated.

Q. Had you within the two years immediately preceding November

5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before said election?—A. Yes, sir.

(Witness produces receipt of H. G. Higgins, dated September 2, 1878, in full for his State and county tax for the years 1876 and 1877.)

Q. Was J. G. Higgins collector of State and county taxes on the date of the receipt, and was the tax paid at the date of said receipt?—A. Yes, sir; he was collector, and the tax was paid on the date the receipt bears.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Did you read your ticket that you voted?—A. Yes, sir; I read it.

Q. Are you then, or not, certain that you voted for Seth H. Yocum for Congress?—A. Yes, sir; I am certain.

Cross-examined:

(Counsel for contestant declines to cross-examine and objects to all foregoing testimony of the witness Philip Mayhue, for the reason that contestant had no notice of the examination of the said Philip Mayhue; that his name does not appear upon the notices of the examination of witnesses served by contestee upon contestant, therefore depriving contestant of the legal and sufficient notice which is his right under the law.)

Re-examined:

Q. Is or is not your name frequently spelled Mahau?—A. Yes, sir; and sometimes Mayhaue.

Q. Have you or not received letters addressed in that way to you?—A. Yes, sir; I have.

Q. Is there or not any other Philip Mayhue or Philip Mayhau living in said Woodward Township?—A. No, sir; not that I know of.

Q. Is there any other Philip Mahau living in Woodward Township?—A. No, sir; not that I know of.

(Counsel for contestant declines to cross-examine because no legal notice of the examination of witness has been served upon contestant by contestee.)

And further saith not.

his
PHILIP + MAYHUE.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

WILLIAM LLOYD sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 34 years old.

Q. Where were you born?—A. In Wales.

Q. Have you ever been naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir.

(Witness produced certificate of naturalization dated September 25, 1872, signed by Albert Yeomans, judge of the probate court, to which is attached the seal of the probate court of Trumbull County, Ohio.)

Q. Were you naturalized on September 25, 1872, the date mentioned in your certificate?—A. Yes, sir.

Q. Are you married; and, if so, did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I am married, and we have resided as stated.

Q. Had you within the two years preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before the election of November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated October 5, 1878, for his State and county tax for 1878, signed by Thomas Henderson, collector.)

Q. Did you pay such tax to Henderson on October 5, 1878, the day mentioned in your receipt?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Yocum. I did not read it myself, for I could not read it. My father and brother were there, and they gave me my ticket.

Q. What are the politics of your father, your brother, and yourself?—A. They are all Republicans.

Cross-examined:

Q. Did I understand you to say that you had lived in Woodward Township for one year last preceding November 5, 1878?—A. Yes, sir.

Q. Did you not live in Houtzdale Borough last summer?—A. No, sir.

Q. Did you pay the tax for which you hold the receipt dated October 5, 1878, yourself?—A. Yes, sir.

Q. You say your brother and father were with you when you voted and told you who was on your ticket for Congress?—A. Yes, sir.

Q. Then you do not know of your own knowledge whether you voted for Seth H. Yocum or not, but only what your father and brother told you?—A. They gave me the ticket, and I am sure it was correct.

Q. Did you not move out of the election district of Woodward Township some time in the year 1878?—A. No, sir.

And further saith not.

his
WILLIAM + LLOYD.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

MARTIN BARRETT sworn.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I suppose I am over seventy years.

Q. Where were you born?—A. Connaught, in Ireland.

Q. Have you been naturalized, and will you produce your certificate of naturalization?—A. Yes, sir.

(Witness produced certificate of citizenship, dated February 16, 1847, signed J. F. Donaldson, prothonotary, Tioga County, State of Pennsylvania. The papers are old and torn, and the seal of the court cannot be distinguished.)

Q. Were you naturalized in open court on the day of date mentioned in your certificate, viz, February 16, 1847?—A. Yes, sir.

Q. Have you been voting since 1847?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of Woodward Township, continuously, for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. I have.

(Witness produces receipt dated September 28, 1878, for his State and county tax for 1877, signed by J. G. Higgins, per Howe.)

Q. Did you pay said tax on September 28, 1878, the date of the receipt?—A. My woman paid it. I was in the mines. To the best of my opinion, she paid it then.

Q. Did you vote in the election district of Woodward Township on November 5, 1878?—A. Yes, sir.

Q. What ticket did you vote?—A. The Greenback ticket all through; but whose name was on it I don't know.

Q. Who gave you the ticket you voted?—A. Morris Barnes or Michael O'Shea, one or the other, I am not certain which; but I think it was Morris Barnes.

Q. Were Morris Barnes and Michael O'Shea both working for and handing out Greenback tickets on November 5, 1878?—A. Yes, sir; one of them, Barnes, was running for commissioner on the Greenback ticket.

Cross-examined:

Q. Did you vote for any one for Congress on November 5, 1878?—A. I don't know.

And further saith not.

Attest:
[SEAL.]

his
MARTIN + BARRETT.
mark.

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

T. D. DAVIS sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is forty-seven years last February.

Q. Where were you born?—A. Wales.

Q. Have you been naturalized; and, if so, will you produce your certificate of citizenship?—A. Yes, sir.

(Witness produces certificate of citizenship dated August 29, 1873, signed by Espy M. Alsop, prothonotary, to which is attached or impressed thereon the seal of the court of common pleas of Bedford County, Pennsylvania.)

Q. Were you naturalized on August 29, 1873, in open court of Bedford County?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; and more.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

(Witness produces receipt, dated August 26, 1878, for his county and State taxes for the year 1878, signed by Thomas Henderson, collector.)

Q. Was Thomas Henderson collector of State and county taxes, and did you pay such tax to him on August 26, 1878, the date of your receipt?—A. Yes, sir; he was collector, and I paid the money on the day I got the receipt as it is dated.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I voted for Yocum.

Q. Did you read your ticket, and are you certain you voted for Seth H. Yocum for Congress?—A. I did read it, and I am certain I voted for Yocum.

Cross-examined :

Q. Where did you first declare your intention of becoming a citizen of the United States?—A. In Huntingdon County, Pennsylvania.

Q. How long have you lived in Woodward Township?—A. I will be in Woodward Township four years next May.

Q. How often have you voted in Woodward Township?—A. I have voted every time since February 15, 1876.

Q. Did you exhibit to the election officers of Woodward Township on the 5th day of November last the certificate of naturalization produced by you on the stand?—A. No, sir; I did not show them. They did not ask for them. I voted on my receipt for taxes.

Re-examined :

Q. Did the election board, or any one of them, on November 5, 1878, know the fact that you were a naturalized citizen?—A. Yes, sir.

And further saith not.

T. D. DAVIS.

Attest :

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

T. D. DAVIS recalled and resworn.

Question. Did you on November 5, 1878, at the election held in Woodward Township, distribute and hand to voters tickets?—Answer. Yes, sir.

Q. What kind of tickets did you hand to voters?—A. Republican tickets, with Seth H. Yocum's name on for Congress on all the tickets I handed out.

And further saith not.

T. D. DAVIS.

Attest :

[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

T. S. WILLIAMS sworn. .

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is twenty-six or twenty-seven years to the best of my knowledge.

Q. Where were you born?—A. In South Wales.

Q. Have you been naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir.

(Witness produces certificate of citizenship dated September 23, 1872, and signed by A. C. Tate, prothonotary, and to which is attached the seal of the court of common pleas of Clearfield County, Pennsylvania.)

Q. Were you naturalized in open court on September 23, 1872, the date of your certificate?—A. Yes, sir.

Q. About how old were you when you first arrived in the United States?—A. About seventeen or eighteen; somewhere along there.

Q. When did your father come to this country, that is, how long ago?—A. About two or three years before Lincoln was shot he came here.

Q. Were you not under eighteen years of age when you came to this country?—A. Yes, sir; I was.

Q. Are you married; and, if so, did you and your wife reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. I am married, and we resided there for more than a year before November 5, 1878.

Q. Had you within two years preceding November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before said election of November 5, 1878?—A. Yes, sir.

(Witness produces receipt for State and county taxes dated March 25, 1879, signed by J. G. Higgins, collector.)

Q. Did you or not pay to some person (whose name you cannot recollect) a State or county tax some time during the summer of 1878?—A. Yes, sir.

Q. Have you or not other receipts for taxes within the last two years preceding November 5, 1878?

(Question objected to because it leaves the inference that the receipts of witness are receipts for State and county tax, whereas the receipts in witness's possession, and produced by him upon the stand, are receipts for poor and school-board tax and not State and county tax.)

A. No, sir.

Q. Have you paid J. G. Higgins, collector, a State or county tax?—A. Yes, sir.

Q. When did you pay him?—A. Last summer; the summer of 1878.

Q. When did Higgins give you your receipt for State and county taxes which you paid him in the summer of 1878?—A. To-day.

(Witness produces receipt signed by J. G. Higgins, dated March 25, 1879, for his State and county tax for the year 1877.)

Q. Did you or not pay Higgins said State and county taxes called for in receipt (dated March 25, 1879) some time in the summer of 1878?—A. Yes, sir.

Q. Then you did not get any receipt for the same until to-day?—A. No, sir.

Q. Did you or not on to-day ask J. G. Higgins for a receipt for said taxes (State and county) which you had paid him in the summer of 1878?—A. Yes, sir.

Q. Did or did not J. G. Higgins say to you that you had paid him said taxes in the summer of 1878?—A. Yes, sir.

Q. Why did not Higgins date your receipt at time of payment last summer?—A. I did not ask him. I am pretty poor about knowing anything about receipts like that.

Q. Then do you swear that the receipt of J. G. Higgins for State and county taxes, which receipt is dated March 25, 1879, was received by

you to-day, and that the taxes were paid by you to Higgins in the summer of 1878?—A. Yes, sir.

Q. Is or is not J. G. Higgins a Democrat?—A. I don't know.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for at said election for Congress?—A. Seth H. Yocum.

Cross-examined:

Q. When were you born?—A. I can't answer that question.

Q. What year did you come to this country?—A. I can't answer that question.

Q. If you don't know when you were born, or when you came to this country, how do you know that you came here under eighteen years of age?—A. I have to take my father's word for it. I am no scholar myself and can't keep any account of such things.

Q. How long have you lived in Woodward Township?—A. I guess about five years.

Q. How often have you voted in Woodward Township?—A. I have voted three times.

Q. Did you show your papers to the board each time you voted, and did you show them on the 5th of November, 1878?—A. No, sir.

Q. Who paid the tax spoken of in your examination-in-chief to Higgins, the collector?—A. I paid it myself.

Q. Are you sure it was in last summer?—A. Yes, sir.

Q. Can you read?—A. No, sir.

Q. If you can't read, and did not read your ticket on the 5th of November, 1878, how do you know you voted for Seth H. Yocum for Congress?—A. I got another person to read it for me; the man who gave me the ticket read it to me.

Q. Who gave you the ticket?—A. Michael O'Shea.

Q. Then you do not know of your own knowledge that you voted for Seth H. Yocum for Congress, but only from what Michael O'Shea read to you from the ticket?—A. Yes, sir.

And further saith not.

his
T. S. + WILLIAMS.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

Adjourned at 12 o'clock a. m. to meet at 1 o'clock p. m. same day.

JOHN THOMAS sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 42 years old.

Q. Where were you born?—A. South Wales.

Q. Have you been naturalized; and, if so, will you produce your certificate of citizenship?—A. Yes, sir.

(Witness produced certificate of naturalization, dated 7th of June, 1875, signed by Eli Bloom, prothonotary, having the seal of the court of common pleas of Clearfield County thereto attached, and which certificate is indorsed, "Voted November 5, 1878," dated February 18, 1879.)

Q. Were you naturalized in open court on June 7, 1875, the date of your certificate?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

(Witness produces receipt, dated September 22, 1877, for his State and county tax for the years 1876 and 1877, which receipt is signed by J. G. Higgins.)

Q. Was J. G. Higgins collector of such taxes, and did you pay him the same, on September 22, 1877, the date of your receipt?—A. Yes, sir; he was, and I paid on the date of the receipt.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum and the Republican ticket.

Q. Did you read the ticket you voted, and was Seth H. Yocum's name for Congress upon the ticket?—A. Yes, sir.

Q. When you voted on November 5, 1878, did you present your certificate of citizenship to the election board, and did they mark thereon "Voted November 5, 1878"?—A. Yes, sir.

Cross-examined:

Q. Where did you declare your intention to become a citizen of the United States?—A. In Clearfield County.

And further saith not.

JOHN THOMAS.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

M. P. BARRON sworn.

Question. Where do reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; going on 58 since January last.

Q. Where were you born?—A. Ireland.

Q. Have you been naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir; I have my papers but left them at home.

Q. About how long is it since you were naturalized?

(Objected to because it is not competent to establish witness's naturalization by parol proof; witness must either produce his certificate of naturalization or a certified copy of record of the court in which he was naturalized.)

A. I think it was in 1856.

Q. Have you been voting since 1856?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax that was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. To whom did you pay such tax, and when?—A. To Joseph Higgins, collector, in September 1878, for 1877 taxes; I paid other taxes for 1878.

Q. Did you or not also pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Did you read your ticket?—A. Yes, sir.

Q. Did you see the name of Seth H. Yocum for Congress upon the ticket you voted November 5, 1878?—A. Yes, sir.

Q. How long have you resided in said Woodward Township?—A. Four years next May.

Q. Where were you naturalized?

(Objected to because witness's certificate of naturalization or a certified copy of record are the only competent proof of his naturalization.)

A. Hollidaysburg, Blair County.

Cross-examined:

Q. Is your name M. B. Barrow or M. P. Barrow?—A. M. P. Barron, sir.

Q. Are you not sometimes called M. P. Barrow?—A. I was once, by the Clearfield Citizen, but I rectified it. I was a candidate for commissioner on the Greenback ticket.

Q. Does the name of M. P. Beerron appear upon the poll-lists of persons who voted at the general election held for Woodward Township on the 5th of November, 1878?—A. Yes, sir.

Q. When did you see the list, and where?—A. I did not see it; I thought it was the ticket you meant.

Q. Where did you declare your intention of becoming a citizen of the United States?—A. Hollidaysburg, Blair County.

Q. Where were you finally naturalized?—A. Hollidaysburg, sir.

Q. In what year did you declare your intentions?—A. In 1854.

Q. What year did you arrive in this country?—A. 1847.

Q. Have you any receipt for State and county taxes paid by you within two years and more than thirty days prior to the 5th of November, 1878?—A. I have, sir; at home.

Re-examined:

Q. Did you on November 5, 1878, distribute and hand to voters tickets which had the name of Seth H. Yocum on for Congress?—A. Yes, sir.

Q. Did you give to any person any ticket with Curtin's name on for Congress?—A. No, sir.

And further saith not.

M. P. BARRON.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.

FRED'K O'L. BUCK,

Amanuensis.

SAMUEL WERFIELD sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 58 years of age.

Q. Where was you born?—A. Dauphin County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

(Witness produced receipt dated August 28, 1878, for his county and State taxes for the year 1878, which receipt is signed by Thomas Henderson, collector.)

Q. Did you pay Henderson said taxes on August 28, 1878?—A. Yes, sir.

Q. Did you vote at the general election of November 5, 1878, held in the election district of said Woodward Township?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you read your ticket, and are you positive you voted for Seth H. Yocum for Congress?—A. Yes, sir; I read my ticket, and I am certain I voted for him.

And further saith not.

SAMUEL WERFIELD.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary.*
FRED'K O'L. BUCK,
Amanuensis.

JAMES MCGUIRE sworn.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am 26 years old.

Q. Where were you born?—A. Allegheny County, Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated September 22, 1877, for State and county tax for the year 1877, which receipt is signed by J. G. Higgins.)

Q. Was J. G. Higgins collector of State and county taxes, and did you pay him said taxes on September 22, 1877, the date called for in the receipt?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you read your ticket, and are you certain you voted for Seth H. Yocum for Congress on November 5, 1878?—A. I read my ticket and am certain I voted for Seth H. Yocum.

And further saith not.

JAMES MCGUIRE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

J. C. KING produced and sworn.

Question. Where do you reside, and what is your age?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania. I am 28 years old.

Q. Where were you born?—A. In the State of New York.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of Houtzdale Borough continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before the election of November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated May 31, 1878, for his county and State taxes for the year 1878; which receipt is signed by D. McGaughey, treasurer.)

Q. Were the said taxes paid by you on May 31, 1878, the date of the receipt?—A. Yes, sir.

Q. Did you vote in the election district of Houtzdale Borough at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Are you paymaster and dispatcher at the Franklin Colliery in said Houtzdale Borough; and, if so, how long have you been?—A. I am, and have been for five years.

Q. For the last year and more, about what time in each month was the regular pay-day to men employed on said colliery?—A. The Friday nearest the 20th of each month.

Q. Is that the invariable rule?—A. Yes, sir.

And further saith not.

J. C. KING.

Attest:

[SEAL.]

WM. RADEBAUGH.

Notary.

FRED'K O'L. BUCK.

Amanuensis.

J. C. KING recalled and resworn.

Question. On what days of the month in September and October, 1878, did you pay the men employed in Franklin Colliery?—Answer. On Friday, September 20, 1878, and on Friday, October 18, 1878.

And further saith not.

J. C. KING.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JAMES MARTIN sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania, in the village of Houtzdale. My age is 48 years.

Q. Where were you born?—A. In England.

Q. Were you ever naturalized; and, if so, will you produce your naturalization papers?—A. Yes, sir.

(Witness produces certificate of naturalization dated 18th of Septem-

ber, 1868, signed Albert Yeomans, judge of the probate court of Trumbull County, of the State of Ohio, and having thereon the seal of the said court, and having thereon indorsed, "Voted November 5, 1878.")

Q. Had you, within two years preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month preceding said election?—A. Yes, sir.

Q. When, as nearly as you can tell, and to whom, did you pay that tax?—A. I paid it to Joseph Higgins, constable and collector of Woodward Township. I paid it, as near as I can recollect, in the first week of September, 1878; I am sure it was the first week of September, 1878.

Q. Are you a married man, and have you and your family resided continuously for the one whole year or more in the election district of Woodward Township immediately preceding November 5, 1878?—A. Yes, sir; I am married, and has resided for one whole year as stated.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Did you vote for Andrew G. Curtin or for Seth H. Yocum for Congress; which one of the two?—A. Seth H. Yocum.

Q. Have you a receipt for the payment of that tax to Higgins?—A. No, sir; I lost it somehow.

Cross-examined:

Q. The certificate of naturalization produced by you is a duplicate, I see, and so marked; what became of the original?—A. I lost the original and got it renewed.

Q. When was it lost?—A. About four years ago.

Q. When did you get the duplicate?—A. Last summer.

Q. Where did you declare your intentions of becoming a citizen?—A. At Pittsburgh.

Q. What proof of your declaration of intention did the probate judge of Trumbull County, Ohio, require you to make before granting you a final certificate of naturalization?—A. I had to take a witness along with me, and showed my first papers.

Q. Are you sure you paid Joseph Higgins, collector, a State or county tax in September, 1878?—A. Yes, sir.

Q. How do you fix the time as being in September?—A. I know from the time I paid the tax before the election; I am certain I was in due time.

Q. Did you carefully read the ticket you voted on the 5th of November last before putting it in the box?—A. Yes, sir.

Q. Are you sure the name of Seth H. Yocum was on the ticket?—A. Yes, sir.

And further saith not.

JAMES MARTIN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FREDK. O'L. BUCK,
Amanuensis.

ROBERT McNAMARA sworn.

It is hereby agreed that this witness shall be examined and his testimony taken as though due and regular notice thereof had been served upon contestant or his counsel. This agreement made this 25th day of March, 1879.

GEO. R. BARRETT, JR.,
For Contestant.
THOS. H. MURRAY,
For Contestee.

Question. Were you one of the inspectors who held the general election of November 5, 1878, in the election district of Houtzdale Borough, Clearfield County, Pennsylvania?—Answer. I was.

Q. Do you know of affidavits which were taken and subscribed by some of the voters at that election having been deposited in the ballot-box after the vote was counted off?—A. Yes, sir; there were.

Q. What finally became of them, if you can tell?—A. The affidavits put in the ballot-box were destroyed in the spring of 1879, at the election.

Q. As a member of that board had you a good opportunity of observing whether that election was fairly, honestly, and lawfully conducted?—A. I certainly had, and I believe it was so conducted.

Q. What is your age?—A. I am fifty-one.

Q. How long have you lived in Clearfield County?—A. I have been here four years and almost one month. I was born in Pennsylvania.

Q. How did that election compare in respect to fairness and honesty and legality, so far as you could judge, with other elections which you have witnessed in Houtzdale Borough or elsewhere?—A. I believe it was as fairly held as any board I ever was on, and I have been on election boards a good many times.

Cross-examined:

Q. When an unregistered voter offered his vote did you require him to first subscribe and swear to a partly printed and partly written affidavit, and also require him to produce a legally qualified voter of the same election district who also subscribed and swore to a partly printed and partly written affidavit?—A. I can hardly tell you for the reason there were very few, I think not over two or three, that were not on the registry list. I know there were affidavits made out there of different kinds, but I don't know whether any were made out for the non-registered voters.

Q. When persons presented themselves to offer to vote on age, did you require them to subscribe and swear to a partly written and partly printed affidavit, and to produce a legally qualified voter who also subscribed and swore to a partly written and partly printed affidavit?—A. Yes, sir.

Q. When persons offered to vote who had paid taxes in the time and manner prescribed by law, did you require them to subscribe and swear to a partly written and partly printed affidavit when they had no receipt setting forth with sufficient certainty when the tax was paid, the collector to whom it was paid, and the time when it was assessed?—A. No, sir; the tax-collectors were there and if the parties had not receipts they brought the tax-collectors up, who satisfied the board their taxes were paid.

Q. Did one of the election-board have the registry-list of voters of Houtzdale Borough, and did he as each person voted put opposite his name the letter V?

(Objected to because the law does not require such designation of those who voted.)

A. Not all of them; I marked some, but not all.

Q. Did one of the election officers receive from voters their tickets and put upon each ticket as received a number corresponding to the voter's number on the poll-list kept by the clerks?—A. No, sir; he received the tickets, but they were not numbered.

Q. Did the board require all persons who were naturalized and who offered to vote to produce their naturalization papers, except where the

persons so offering to vote had voted in Houtzdale Borough for five consecutive years?—A. We required all persons to produce their naturalization papers unless some member of the board had seen them produce their papers on former occasions.

Re-examined :

Q. What were your politics on November 5, 1878, and for whom did you vote for Congress at said election?

(Objected to because it is a question of privilege and witness need not answer unless he wishes.)

A. I am a Democrat and voted for Andrew G. Curtin.

Q. Were you subpoenaed on the part of the contestant, and did you testify when so subpoenaed at Clearfield?—A. I was subpoenaed and testified for contestant.

Q. When on the stand and so testifying, were you asked any questions by contestant's counsel touching the conduct or legality of the election held in Houtzdale Borough on November 5, 1878?—A. No, sir; I don't think I was.

Q. How did it occur that you did not number the ballots; was it an oversight or intentional?—A. We forgot to do it at first. The way that occurred the other inspectors objected to Morris Leveright's vote being taken and he was called in and affidavits were made out and he signed and subscribed them; and during the delay caused by this we took the votes and forgot to number them, and, having forgotten to number those, we could not correctly number the others.

Q. Is Morris Leveright a Curtin or a Yocum voter?—A. I believe he voted for Yocum; I know he is an active Republican.

Q. How long had he been voting in Houtzdale?—A. He has been voting here for four years and more, ever since I came here.

Q. Is Morris Leveright one of the best known voters in Houtzdale Borough?—A. He is one of the best known men here in Houtzdale Borough.

Q. Was the inspector who refused to allow Leveright to vote a Curtin or Yocum voter?—A. I believe he voted for Yocum.

And further saith not.

R. McNAMARA.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 6.20 p. m. to meet at 7.15 p. m.

HARRY C. POWLEY sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. I am twenty-five years old.

Q. Where were you born?—A. In the State of Pennsylvania.

Q. Are you married?—A. Yes, sir, I was.

Q. When were you married?—A. On September 19, 1878.

Q. Has your wife died since then?—A. Yes, sir.

Q. Did you and did you while married reside in the election district of Woodward Township continuously for the one full year and more immediately preceding November 5, 1878?—A. I did.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two

months and paid at least one month before November 5, 1878?—A. I did.

Q. Where is your receipt for the payment of your tax?—A. I threwed it away; it had been written with a pencil, and it had got worn off, all except the print, and I thought it was not good and threw it away.

Q. To whom did you pay such tax, and when?—A. To Thomas Henderson, in August of 1878.

Q. Did you in August, 1878, by direction of your brother, Jeremiah Powley, pay to Thomas Henderson his State and county tax?—A. Yes, sir; I paid his at his direction.

Q. Did you vote in said election district of said Woodward Township at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you read your ticket?—A. Yes, sir; I did.

Cross-examined:

Q. Did your brother, Jeremiah Powley, tell you to pay his tax for him?—A. He did; yes, sir.

And further saith not.

H. C. POWLEY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JEREMIAH POWLEY SWORN.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is between twenty-two and twenty-three.

Q. When were you twenty-two years old?—A. Last September.

Q. Where were you born?—A. In Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you or not in August, 1878, direct and authorize your brother, H. C. Powley, to pay your State and county taxes to Thomas Henderson, the collector?—A. Yes, sir; I did.

Q. Did your brother bring you a receipt for the payment of the same?—A. Yes, sir.

Q. Where is your receipt?—A. I have destroyed part of it by carrying it around, and I burned the balance as useless.

Q. Did you receive that receipt, and did you pay the money some time in August, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I don't mind the name any more; I forget.

Q. Was or was it not Seth H. Yocum that you voted for for Congress?—A. Yes, sir, it was.

Q. Did you or not vote the whole Republican ticket?—A. Yes, sir, as far as I know I voted it straight out.

Q. Did you read your ticket?—A. Yes, sir.

Q. Then do you or not swear that you voted for Seth H. Yocum for Congress?—A. Yes, sir, I do.

And further saith not.

JERRYMAH POULEY.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDERICK O'L. BUCK,

Amanuensis.

JESSE S. WILLIAMS sworn.

It is hereby agreed that the testimony of this witness be taken and he be examined with the same effect as if due and regular notice of the taking of his testimony had been served upon contestant or his counsel. This agreement made this 25th day of March, 1879.

GEO. R. BARRETT, Jr.,

For Contestant.

THOS H. MURRAY,

For Contestee.

Question. Did you collect any State or county tax during the year 1877?—Answer. I did.

Q. What year's tax was it?—A. The year 1875.

Q. Whose duplicate had you?—A. I think it was Myles' or George Quin's. Wooden has the duplicate in charge now.

Q. Had Miles and George Quin been collectors of State or county taxes for Woodward Township?—A. Quin had been; I could not say certain about Miles.

Q. Did W. W. Joy, of Woodward Township, pay you any State or county taxes during the year 1877?—A. He did.

Q. What time of the year was it, as near as you can tell, and state how you fix the time?—A. By referring to my papers I find that on the 7th day of August, 1877, I remitted the first taxes I collected, and on the 25th day of September, 1877, I think it was between that time that Joy paid me the tax. I think I remitted the last I collected in September, 1877. I think it was between August 7, 1877, and September 25, 1877, that W. W. Joy paid me these taxes.

Q. Did W. H. Joy, the father of W. W. Joy, pay you any State or county taxes during the year 1877?—A. He did.

Q. About what time did he pay you State and county taxes in the year 1877?—A. I think he and his son paid their taxes about the same time.

Cross-examined:

Q. Are you sure this was in the year 1877?—A. I am.

Q. Did you pay any State or county tax last fall of 1878?—A. I did.

Q. Who did you pay it to?—A. Pat Dugan.

Q. How long before the election of November 5, 1878, did you pay Dugan this tax?—A. I don't remember exactly how long; it was paid in due time to vote.

Q. Are you sure you paid Dugan that tax one month prior to November 5, 1878?—A. I am.

Q. Did you get a receipt at the time you paid it?—A. I did not.

Q. Did you get a receipt at any other time for the tax?—A. I did.

Q. When did you get the receipt?—A. I can't remember.

Q. Was the receipt dated back when you got it so as to cover all contingencies?—A. Yes, sir.

Q. Did you pay the tax on the date in the receipt just produced by you on the witness stand?—A. Yes; and before the date of the receipt.

Q. How many days before the election of November 5, 1878, did you get this receipt from Dugan?—A. I don't remember the date.

Q. Was it one day, five days, or one day?—A. I received it less than thirty days before the election; I can't fix the exact date.

Q. Why did you not get the receipt when you paid the tax?—A. The reason why I did not get a receipt was this: Dugan owed me a bill and I saw him and he agreed to pay my taxes, and I agreed if he would do so I would receipt his account in full.

Q. When did you have this conversation with Dugan?—A. I don't remember the time, but it was more than a month before the election.

Q. When did you give Dugan a receipt in full of the account you had against him?—A. I don't remember whether I gave him a receipt or not at the time.

Q. How much did Dugan owe you?—A. I think it was \$2.50.

Q. Look at that receipt and tell me how much it calls for?—A. Fifty cents.

Q. Did you agree to give Pat Dugan a receipt in full for the \$2.50 he owed you in consideration of his paying for you the amount called for by your receipt?—A. I did.

Q. In other words, you agreed to give him \$2.50 for 50 cents?—A. I agreed to give him the account of \$2.50 for the 50 cents tax.

Q. When did Pat Dugan mark your taxes paid upon his duplicate; when you had the conversation alluded to or when he gave you the receipt?—A. I don't know whether he ever marked them paid or not.

Re-examined:

Q. Fix the time, according to your best recollection, when that conversation between you and Dugan occurred.—A. It was about the time the names were entered on the September registry. The reason I fix it at that time is because I had trouble about getting registered. I went up on the last day for registering, found my name was not on, and had it put on, and it was either on that day or within a week of it that Dugan and I had the conversation.

Q. Was it the understanding and agreement between you and Pat Dugan, at that time, that the tax and the account should be offset, the one against the other, then or at some future time?—A. I considered it, and he did, I believe, consider it settled at that time.

Q. Did he then agree to give you a receipt for the taxes?—A. He did.

Q. Did you ask him for the receipt afterwards, before he gave it to you?—A. I did.

Q. What did he say?—A. He gave to me; that was all.

Q. What was that account of \$2.50 against Pat Dugan worth?—A. It was worth 50 cents to me. I did not consider it worth more than that or I would not have made it.

Q. When you say the receipt was dated back, do you mean that it was in fact dated back, or that you received it on a later date than appears on the face of the receipt?—A. I received it after it was dated. I did not know it made any difference, as I thought my taxes were paid in time.

Q. Have you any knowledge that it was really dated back at all, that

is, that it was written on a later date than appears on the face of it?—

A. I have not.

And further saith not.

J. S. WILLIAMS.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

Adjourned at 9.25 to meet at 8 o'clock a. m. 26th March, 1879.

JOHN T. PALMER sworn.

It is hereby agreed that this witness be examined and his testimony taken with the same effect as though due and regular notice thereof had been served upon contestant or his counsel. This agreement made March 26, 1879.

GEO. R. BARRETT, JR.,

For Contestant.

THOS. H. MURRAY,

Counsel for Contestee.

Question. Where do you reside, and what is your age?—A. Woodward Township, Clearfield County, Pennsylvania; my age is 35.

Q. Where were you born?—A. In Virginia.

Q. Are you married?—A. Yes, sir.

Q. Did you, your wife, and family reside in the election district of said Woodward Township, continuously, for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Have you a receipt?—A. No, sir; when I paid the tax to Joseph Higgins he had no blanks with him, and therefore did not give me any receipt.

Q. As near as you could tell, when did you pay said Joseph Higgins said tax?—A. About Christmas of 1876, a few days before or after, I am not positive which.

Q. Was Joseph Higgins collector of State and county taxes for Woodward Township?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. At said election for whom did you vote for Congress—Andrew G. Curtin or Seth H. Yocum, which of the two?—A. Seth H. Yocum.

Q. Did you or not read your ticket, and are you certain you voted for Seth H. Yocum for Congress?—A. Yes, sir; I read my ticket, and I am sure I voted for Yocum.

Cross-examined:

Q. How do you locate the time you paid Higgins the tax as being near Christmas of 1876?—A. We were sledding and hauling on snow the day I paid it.

Q. How do you know it was the year 1876?—A. Because I saw the tax marked on the duplicate, 1876.

And further saith not.

JOHN PALMER.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

M. P. BARRON recalled and resworn:

Question. Are you the M. P. Barron who testified in this case yesterday?—Answer. Yes, sir.

Q. Have you now your certificate of citizenship with you?—A. Yes, sir.

(Witness produces certificate of citizenship, dated August 2, 1856, signed by Jos. Baldrige, prothonotary, to which is attached the seal of the court of common pleas of Blair County, Pennsylvania.)

Q. Were you naturalized in open court on August 2, 1856?—A. Yes, sir.

Cross-examined:

Q. Where did you declare your intention of becoming a citizen?—A. At Hollidaysburg, Blair County, Pennsylvania.

Q. How long prior to the 28th day of July, 1856?—A. I could not exactly tell you; whatever the law required; I suppose about two years, I guess.

Q. Did you produce before the court of Blair County your first papers of declaration of intention, and also two witnesses to vouch for your residence?—A. Yes, sir.

Q. How do you spell your name?—A. M-a-u-r-i-c-e B-a-r-r-o-n.

Q. Who added the "P" between Maurice and Barron in the body of this certificate?—A. I did.

Q. When did you add this "P"?—A. I can't exactly tell you now.

Q. Look at this name and tell me how it was written by the prothonotary of Blair County.—A. Maurice Barron.

(Counsel for contestant objects to the above-mentioned certificate being received as proof of M. P. Barron's naturalization, the certificate produced being evidence only of the naturalization of Maurice Barron, this witness acknowledging on his oath that he without authority of law changed the certificate by the insertion of matter not put in the certificate by the prothonotary of Blair County, and not in certificate when the seal of the court of common pleas of Blair County was attached thereto.)

Re-examined:

Q. Are you the Maurice Baron who was naturalized in said court of Blair County on August 2, 1856?—A. Yes, sir.

Q. Is the certificate of your naturalization which you have produced your certificate which you received from said prothonotary of Blair County?—A. Yes, sir.

Q. Is not Maurice Baron and also Maurice Barron both written in the certificate produced by you?—A. Yes, sir.

Q. Then is it not simply a clerical error?

(Objected to because it asks the witness to give his opinion upon a point of law.)

A. I suppose it must be.

Q. Are you the man called for in said certificate?—A. I am, sir, really.

Q. What was your purpose in adding the P between Maurice and Baron, and also between Maurice and Barron?—A. I put it in so that my name would appear in full.

And further saith not.

Attest:

[SEAL.]

MAURICE P. BARRON.

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN LLOYD sworn.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is twenty-seven years.

Q. Are you married; and, if so, when?—A. Yes, sir; in July, 1878.

Q. Where were you born?—A. In Wales.

Q. How old were you when you came to the United States?—A. About four years old.

Q. Has your father been naturalized, and, if so, when?—A. Yes, sir; about twelve or thirteen years ago; I can't tell within a few years; you have his testimony here on the subject.

Q. Are you a son of Edward Lloyd, sr., who has testified in this case?—A. Yes, sir.

Q. Did you (and after marriage with your wife) reside in the election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you continuously for the one whole year and more immediately preceding November 5, 1878, resided in the State of Pennsylvania?—A. Yes, sir.

Q. Did you and your wife reside in said Woodward Township continuously for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated September 22, 1877, for his State and county tax for the year 1877, signed Joseph Higgins.)

Q. Was Joseph Higgins collector of State and county taxes for Woodward Township?—A. Yes, sir.

Q. Did you pay Joseph Higgins the said tax upon September 22, 1877, the date mentioned in the receipt?—A. Yes, sir.

Q. Did you vote in the election-district of said Woodward Township at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you read your ticket, and are you certain you voted for Seth H. Yocum for Congress?—A. Yes, sir, I read it; and I am certain I voted for Yocum.

And further saith not.

JOHN LLOYD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOSEPH ALEXANDER affirmed.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is thirty-five years.

Q. Where were you born?—A. Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife reside in the election-district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax, which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated June 10, 1878, for county and State taxes for the year 1878, signed by D. McGaughey, treasurer.)

Q. Did you pay said taxes on June 10, 1878?—A. Yes, sir.

Q. Did you vote in the election-district of said Woodward Township at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

And further saith not.

Attest:

[SEAL.]

JOSEPH ALEXANDER.

WM. RADEBAUGH.

Notary.

FRED'K O'L. BUCK,
Amanuensis.

THOMAS JAMES sworn.

Question. Where do you live, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania. My age is thirty-nine.

Q. Where were you born?—A. In England.

Q. Were you ever naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir.

(Certificate of citizenship produced by witness, dated 16th of September, 1876, signed by R. W. Singer, prothonotary, and having the seal of the court of common pleas of Westmoreland County, Pennsylvania, attached thereto, and having indorsed on the back thereof, "Voted November 7, 1876.")

Q. Were you naturalized in open court September 16, 1876?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife, reside in the election-district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election-district of Woodward Township at the election held November 5, 1876?—A. Yes, sir.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax, which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated June, 1877, for State and county taxes for the year 1877, signed John Brown, sr., collector.)

Q. Did you vote for Seth H. Yocum or Andrew G. Curtin for Congress; which one of the two?—A. Seth H. Yocum.

Q. Did you read your ticket?—A. No, sir; but there was a friend that

gave me the ticket, and I did depend on him that it was a Republican ticket.

Q. Who gave you the ticket you voted?—A. Thomas D. Davis.

Q. Did you pay John Brown, sr., collector of State and county taxes, the said taxes in June, 1877, the date of the receipt produced?—A. I did not pay him, but my wife did pay him. I gave her the money and directed her to pay him. I was at work in the pit, and she had the receipt for me when I came home.

Q. Where—in what county of Pennsylvania was said tax paid to Brown?—A. In Westmoreland County, Pennsylvania.

Cross-examined:

Q. Then you don't know of your own knowledge whether you voted for Yocum or not?—A. I know no more than I depend on this man; he told me it was the Republican ticket.

Q. As the Republicans had no candidate for Congress, might it not have been a Republican ticket without any name upon it for Congress, for all you know?—A. Yes, sir; I could not read it.

And further saith not.

his
THOMAS × JAMES.
mark.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

JOSEPH G. HIGGINS sworn.

Counsel for contestant objects to the examination of this witness, because contestant has had no notice whatever that he would be examined, either on this or any other date, thus depriving the contestant of his right under the law to one full day's notice and time to reach the place where the examination was to take place. Counsel for contestant protests against the examination of this witness as an abuse of contestee's power, and as a wanton and inexcusable disregard of both the law and the contestant's rights.

Question. Were you called as a witness on the part of contestant?—Answer. Yes, sir.

Q. For how many days have you been at this place where testimony is being taken during the present week?—A. This is the third day, I believe.

Q. Are the counsel present who cross-examine for contestant acquainted with you?—A. I can't say that he is.

Q. Have they spoken to you during the present week, and do they know that you were the collector of Woodward Township?

(Objected to, because the counsel for contestant who is conducting and has charge of the examination of witnesses before the commissioner now taking witness's testimony does not now or never did know the witness, and that he never, to his knowledge, spoke to the witness upon any subject whatever, and did not know until within ten minutes of the time he was called that he was to be a witness in this case.)

A. I wish you would tell me who you mean by they, then I will tell you.

Q. I mean either George R. Barrett, jr., who made the foregoing objection, or J. F. Snyder, who is now present in this room, and was when you were called, and when the objection was made, and W. H. Patter-

son, who has not been present thus far, each of them being counsel for contestant; have they or either of them, and which one, spoken to you during the week, and do they know you as the collector of Woodward Township?

(Objected to, because witness is and has been in the employ of the contestant in this case as the confidential adviser and assistant of contestant's counsel, and all the communication had between witness and contestant's counsel are in their nature privileged communications, which the witness need not divulge.)

A. They have both spoken to me, Mr. Patterson and Mr. Snyder, and I suppose they know I am collector of Woodward Township.

Q. Did you after the election of November 5, 1878, in Woodward Township, deliver the ballot box which had been used at that election to William Luther, of Woodward Township?—A. Yes, sir.

Q. By whose direction did you deliver it?—A. William Luther's.

Q. What day and what time of day did William Luther tell you to deliver that ballot box to him, and what did he say when he told you to deliver it to him?—A. I could not tell you what day it was. I can't tell you the day of the week or month it was; some time after the election. I saw him about it in the morning early some time. He said he wanted me to get the ballot box and give it to him; that I was going to get into trouble about the ballot box. He told me that Wallace and Krebs had told him to get me to bring the ballot box to him (Squire Luther.) Wallace and Krebs never said anything to me about it personally either before or since the election.

Q. Can you say what papers, if any, you looked at with Luther when you delivered the ballot box to him?—A. Yes, sir; I can say. The list of voters, I think.

Q. What was the purpose of looking at that paper?—A. Squire Luther said that John Wilson had told him that he had voted, and he asked me if I knew whether he had or not. I told him I thought he had not. He looked at the list then, and neither he or I could find his name on it.

Q. Why did you not look at any other papers in the ballot-box?—A. I don't know the reason why; I had no object whatever. I don't know the reason he had, or what idea he had about it.

Q. Did William Luther then, or at any other time, say anything to you about intending to examine the papers in that ballot-box for any purpose, and, if so, what purpose, and what did he say?—A. No, sir; he did not then or afterwards or at any time say anything about it.

Q. Were the other papers (the ballots and other returns) in the same subdivision of the ballot-box as the list of voters?—A. There were some other papers in there, but I could not tell what they were. I don't think the ballots were in the same box; I would not be certain.

Q. Were the other subdivisions of the ballot-box examined by you or by Luther in your presence?—A. No, sir.

Q. Were they closed or open?—A. They were all closed but that one in which the list of voters was.

Q. Can you say whether they were sealed or not?—A. I cannot say.

Q. Can you not say whether the ballots (that is, the string of ballots) was in the same subdivision with the list of voters?—A. I can't say; I did not see them either there or any other place.

Q. Are you the collector of Woodward Township, Clearfield County, Pennsylvania, for State and county taxes?—A. I am, for 1876 and 1877.

Q. Do you remember of Andrew Gleason having paid you any State or county taxes for other parties, and, if so, what time did he so pay you

as nearly as you can recollect?—A. I don't think Andrew Gleason ever paid me any himself; his clerks paid me some for other parties in his store; I cannot fix the time; I kept no account of it.

Q. Is there not any circumstance, or some election, that you can say it was either before or after?—A. He paid me several taxes in the store, but to the best of my recollection they did not pay me any after the fall election of 1876—the Presidential election of 1876.

Q. Did Jerry O'Neal ever pay you any State or county tax?—A. I don't think he did himself.

Q. If he paid any, was it not paid by Gleason or his clerks?—A. I think it was.

Q. Did you on the 25th March, 1879 (yesterday), give to Edward Lloyd, jr., and William Lloyd a receipt each for the payment of State or county taxes?—A. Yes, I gave them receipts as stated.

Q. Did they pay you any tax at the time you gave them the receipts?—A. No, sir.

Q. Did they claim to have paid you State or county taxes within two years preceding the election of November 5, 1878?—A. Yes, sir; they claimed they had.

Q. Did you say to them that there were so many Lloyds up there that you might have received their taxes and omitted to mark them paid, or anything to that effect?—A. No, sir, I did not; they stated that to me, though.

Q. What did you say when they said that?—A. I said it was strange that I did not mark it paid on the duplicate. I asked them if I had the duplicate along with me. That was one of them; the other one was marked paid already.

Q. Can you say which one had been marked paid before, Edward or William?—A. Edward Lloyd, jr., was not marked paid, the other was.

Q. If both these men swear they paid you taxes, as they claimed to you, within two years preceding that election, are you prepared to say whether they did or not?—A. I would not say that William did not, but I never would swear that the other one did.

Q. Do I understand you to say that William Luther personally ordered you to deliver to him that ballot-box?—A. Yes, sir; that is correct.

Q. Did you receive a note from him, or from any one else, and from whom, before he gave you that order personally?—A. My woman handed me a note from William Luther the night before I saw him personally.

Q. Where is that note now?—A. I don't know; I think I gave it to the children to play with. It is lost or destroyed.

Q. What was on the note, as nearly as you can recollect?—A. About the amount of it was, I was to get the ballot-box and bring it to his place.

Q. Did he say anything about your delivering it at daylight the next morning?—A. He did not say anything, whether it should be daylight or dark or when it was.

Q. Did he not say anything about who he had orders from; and, if so, who?—A. It did not.

Cross-examined:

Adjourned at 1 o'clock p. m. to meet at 1.45 o'clock p. m. same day.

Q. Where were the ballot-boxes used by the election officers on the 5th of November, 1878, deposited?—A. They were left at the election house.

Q. With whom were they left?—A. Squire Laymon had charge of it.

Q. Where did Squire Laymon live, with reference to the election house; how far from there?—A. I would think about three miles.

Q. Do you mean to say that Squire Laymon had charge of the ballot-boxes, but left them in the building where the election was held?

(Objected to in that it is leading and in an attempt to put a desired answer in the mouth of the witness contradictory of his whole testimony.)

A. Yes, sir; I had some business that I had to attend to that night. I asked Squire Laymon to take charge of the ballot-box. He said he would if the board was agreed to it. That is all that I know about it, except that the ballot-boxes were left in the election house.

Q. Was the building in which the election was held occupied or unoccupied?—A. Unoccupied. It was a storehouse.

Q. Then, when you told Squire Laymon to take charge of the boxes he did not take them with him and keep them in his possession?—A. No, sir; he did not.

Q. How long after the 5th day of November, 1878, was it that you repaired to the election house at the suggestion of Squire Luther for the purpose of getting the boxes?—A. It was some time after; I suppose two weeks or more.

Q. Then the boxes remained in an unoccupied house in no one's custody from the time of the November election, 1878, until you took them away?—A. To the best of my knowledge, they did.

Q. Is William Luther, who told you to get the boxes and bring them to his house, a resident of Woodward Township?—A. Yes, sir; he is one of the justices of the peace of Woodward Township.

Q. Are you a constable in Woodward Township?—A. Yes, sir.

Q. Were you a constable on the 5th day of November last and on the day that you took the ballot-box from the election house to Squire Luther's?—A. Yes, sir; I was.

Q. Did you see any impropriety in William Luther, a commissioned justice of the peace of Woodward Township, asking you, the constable of Woodward Township, to take the ballot-boxes from the unoccupied building in which they had been left to his house?—A. No, sir; if I had I would not have meddled with it.

Q. On the other hand, did you not think it right and proper that the boxes should be taken from a place where they were exposed to the manipulation of interested parties to a place of safety?

(Objected to in that it, like nearly all the other questions asked upon cross-examination of this witness, is a flagrant attempt to put a desired answer in the mouth of a witness who contestant's counsel states on the record is the confidential adviser with contestant's counsel, and for the further reason that it assumes facts to be proved of which there is an utter absence of proof, and for these reasons is an abuse of the privilege of cross-examination.)

Counsel for contestant makes answer that this is contestee's own witness forced upon the witness-stand in violation of law and an utter disregard of contestant's rights under the act of Congress governing contested election, and that the cross-examination of contestant's counsel is perfectly proper and assumes no facts that are not in existence.)

A. I did think it was right, or I would not have taken them.

Q. Was there any attempt at secrecy made by you in getting the boxes into Squire Luther's house?—A. No, sir; I went in broad daylight.

Q. Did you understand from Squire Luther in any conversation you may have had with him, or from the note you received from him, that you were to go about getting the boxes in a secret or clandestine man-

ner?—A. No, sir; I did not think there was to be any secrecy about it. I went and asked Thomas Henderson for them.

Q. Was there, to your knowledge, any recount of the vote of Woodward Township ordered?—A. Not that ever I heard of.

Q. When parties charged with tax upon your duplicate pay you their tax do you mark it paid upon your duplicate?—A. I certainly do.

Q. Was Edward Lloyd's tax for 1877 marked paid upon your duplicate?—A. No, sir; I gave him a receipt for it yesterday.

Q. Although you gave him the receipt yesterday, do you think he had paid his tax?—A. I think one of them did and the other did not.

Q. Have you not been employed by some of the gentlemen representing the contestee in this case to get their witnesses here for them?—A. I believe I notified a couple that Mr. Murray told me to (Joseph Alexander and William O'Hara). I had no subpoena.

Q. Is the Mr. Murray you speak of as employing you to perform these services the gentleman now present as counsel for contestee?—A. I believe he is.

Re-examined:

Q. Did Mr. Murray or anyone else for contestee employ you as confidential adviser?—A. No, sir.

Q. How far did William Luther live from the place where the election was held November 5, 1878, in Woodward Township, at the time you delivered him the ballot-box?—A. I think they call it three miles.

Q. On whose place and near whose house was the election-house in Woodward Township?—A. Thomas Henderson's place, and in his store-house.

Q. What were Thomas Henderson's politics on November 5, 1878?—A. I don't know, sir.

Q. What has he always been considered, Democrat or Republican?—A. A Democrat.

Q. What has Luther always been considered, Democrat or Republican?—A. I don't know.

Q. What are your politics, Democrat or Republican?—A. I am a Democrat.

Q. Do you swear that Edward Lloyd, jr., did not pay you his tax, as he claimed?—A. No, sir; I don't swear he did not, but I don't think he did.

Recross-examined:

Q. For whom did you vote for Congress on the 5th of November, 1878?—A. Andrew G. Curtin, I believe.

And further saith not.

J. G. HIGGINS.

Attest.

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE W. QUINN affirmed.

(Counsel for contestant objects to the examination of this witness because contestant was notified his examination would take place upon the 27th day of March, A. D. 1879.)

Question. Were you the judge of election held in Woodward Township election district on November 5, 1878?—Answer. Yes, sir.

Q. Was that election honestly, fairly, and legally conducted, so far as you know or could observe?—A. Yes, sir.

Q. Do you know of any interference of any person or persons outside of the board during the time you received votes or counted off, or at any other time?—A. No, sir.

Q. Did you require of persons whose names were not on the registry-list before voting that they swear to and subscribe a partly written and partly printed affidavit as to residence and payment of tax, and that they produce another witness, who also swore to and subscribed a partly written and partly printed affidavit that the person offering to vote was a citizen resident for at least two months within the district which witness was a qualified elector in that district?—A. Yes, sir.

Q. Where were these affidavits deposited after you counted off?—A. They were deposited in the ballot-box, I believe.

Q. They were not then forwarded with the returns to Clearfield?—A. I think not.

Q. Did you require of persons born out of the United States before voting that they produce their naturalization papers?—A. Yes, sir.

Q. If there were any cases in which you did not so require them, why was it?—A. It was in cases where they had shown their papers before.

Q. Do you mean or not that it was cases where the board or some members of it had seen their papers produced at preceding election?—A. Yes, sir.

Q. Were the ballots numbered as received by a number corresponding in each case with the number opposite the name of the voter on the list of voters?—A. Yes, sir.

Q. Were the persons who voted on age required to sign and swear to a partly written and partly printed affidavit as to their age, and to produce a qualified elector of the district who also was required to sign and swear to a partly written and partly printed affidavit as to the citizenship of the voter, his residence for one year in the State and for two months in the district, immediately preceding said election?—A. No, sir; I believe not.

Q. Did you require of such persons that they make oath to their age, citizenship, and residence in the district?—A. Yes, sir.

Q. Were such affidavits in writing, sworn to and subscribed to by the voter?—A. No, sir; such affidavits were taken orally.

Q. When a voter had lost or failed to produce his tax-receipt, what proof did you require of him of his payment of tax?—A. We required the collector to state whether he had paid the tax or not.

Q. Who were the collectors present?—A. Joseph G. Higgins and Thomas Henderson.

Q. What were their politics, Democrats or Republicans?—A. Democrats.

Q. If any doubt existed as to payment of tax, did you or not require the voter to make oath?—A. Yes, sir; we received no vote when we were not satisfied that his tax had been paid.

Q. Had you been on election boards before?—A. Yes; three different times.

Q. How did this election in Woodward district, in respect to fairness, honesty, and legality, compare with other elections where you have been on the board and which you have witnessed?—A. It was the same as the other elections were conducted that I was on.

Q. Were you well acquainted with the other officers of the board?—A. Not very well acquainted with them.

Q. Do you think that any member of the board, either the judge or

either of the inspectors, willfully and intentionally violated the law in the conduct of that election?

(Objected to because the witness is not competent to testify to the intentions of the two inspectors.)

A. No, sir.

Q. Are you a native-born citizen?—A. Yes; I was born in Pennsylvania.

Q. What is your age?—A. I am in my thirty-ninth year.

Q. What were your politics on November 5, 1878?—A. A Democrat.

Q. Why was the ballot-box left in the election house?—A. It has always been left there on other elections.

Q. Was the box and the house in which it was left well secured before leaving it there?—A. The house was locked, but the man used the house for his pleasure.

Q. What were Henderson's politics?—A. A Democrat, I believe.

Q. At whose request or suggestion was the ballot-box left there?—A. I can't just remember about leaving the box there. There was some one spoke about taking the box away, but Squire Lehman, I think, opposed it.

Q. Did not Lehman, the justice of the peace, propose that the ballot-box be delivered to him?—A. He mentioned about taking the ballot-box to a justice.

Q. And who opposed that?—A. I believe I said myself the box had always been left there. I misunderstood the question when I said Squire Lehman opposed taking the box away. It was Squire Lehman spoke about it being delivered to the nearest justice.

Q. What did Lehman say about it?—A. He said the law required it to be left with the nearest justice.

Cross-examined:

Q. What duties did you perform as judge of the election board in Woodward Township during the holding of the election of November 5, 1878?—A. I kept the registry.

Q. What did the minority inspector do?—A. He put the tickets in the box.

Q. What did the majority inspector do?—A. He received the tickets.

Q. Who numbered the tickets?—A. The majority inspector.

Q. As each name was announced at the window did you refer to the registry-list to ascertain if their names were thereon?—A. Not in all cases.

Q. As each person voted did you mark the letter V opposite their names upon the registry-list?—A. No, sir.

Q. Who assigned the majority and minority inspectors—one to the duty of taking in the tickets at the window and numbering them, and the other to putting them into the box?—A. We agreed to it among ourselves.

Q. How many persons voted the day of said election whose names were not upon the registry-list?—A. I cannot remember; I suppose about ten or twelve; there may have been more or some less.

Q. Were each of these persons whose names were not upon the registry-list required to subscribe and swear to a partly written and partly printed affidavit setting forth their legal qualifications as voters and produce a legally qualified voter of the district to vouch for them?—A. No, sir.

Q. Were persons who desired to vote on age required to subscribe and swear to a partly written and partly printed affidavit setting forth

that they were citizens of the United States and of this commonwealth; that they had resided in that election district for at least two months prior to the 5th day of November, 1878; that they were at least twenty-one and not more than twenty-two years of age?—A. They were required to be sworn but not to sign the affidavit.

Q. Did you also require such parties voting on age to bring with them before the board a legally qualified voter of said election district and require him to subscribe and swear to a partly written and partly printed affidavit setting forth that he knew the person so wishing to vote, and that he had resided in said election district of Woodward Township for at least two months prior to November 5, 1878?—A. No, sir; we received their vote on the strength of one oath.

Q. Did you in all cases require persons who were not born in this country, but who claimed the rights of citizenship under papers of naturalization, to produce before the election board their final certificate of naturalization, excepting where they had voted in Woodward Township for five consecutive years?—A. Yes, sir; I believe that all who did not produce their papers were known by the board and their papers seen before.

Q. What time did you open the polls in the morning?—A. At 7 o'clock a. m.

Q. What time did you close in the evening?—A. At 7 o'clock p. m.

Q. Were the election officers sworn?—A. Yes, sir.

Q. Who administered the oaths?—A. The justice of the peace, Squire Lehman.

Q. Were any other persons permitted in the room when the election was being held, except the members of the board?—A. Yes, sir.

Q. Who were in the room beside the members of the board?—A. I don't know who all was in; there were different ones back and forward.

Q. Were people coming in and going out of the room all through the day and evening?—A. Yes, sir; up to near the close of the election.

Q. Were parties who were not members of the board present in the room while the vote was being counted off?—A. Yes, sir.

Q. What time did you finish counting off the vote?—A. I think it was nearly four in the morning after the election.

Q. Did persons who were not members of the board assist in counting off either by tallying or by performing any other work incident to the count?—A. No, sir.

Q. Were you, as judge, thoroughly conversant with the law regulating the conduct of elections under the law and the new constitution?—A. I can't say I was thoroughly acquainted with it; I had the law there and knew something about it.

Q. If you had the law with you and were conversant with it, why did you hold the election for Woodward Township on the 5th of November, 1878, in violation of its plainest provisions?—A. We were not aware that we violated it.

Re-examined:

Q. When persons were not on the registry-list, was proof required of their qualifications as voters?—A. Yes, sir; they were asked, and their own oath was taken.

Q. Did you refer to the registry-list in all cases except as to those persons whom you knew were on the list and were qualified voters?—A. Yes, sir.

Q. Did any person or persons that were in the election-room interfere in any way with the duties of the election-board or touch or handle

the tickets in any way, or touch or disturb the ballot-box?—A. No, sir.
And further saith not.

G. W. QUINN.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN WILLIAMS sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is forty-eight years.

Q. Where were you born?—A. In South Wales.

Q. Have you been naturalized; and, if so, will you produce your certificate of citizenship?—A. Yes, sir.

(Witness produces certificate of naturalization dated August 10, 1864, signed by W. C. Wagoner, prothonotary, to which is attached the seal of the court of Huntingdon County, Pennsylvania.)

Q. Were you in open court of Huntingdon County, Pennsylvania, naturalized on August 10, 1864?—A. Yes, sir.

Q. Will you produce said certificate of naturalization that the notary may copy the indorsements thereon?—A. Yes, sir.

(Witness produced certificate, upon which the following indorsements appear: "Amos Evans. October 8, 1872. Voted November 7, 1876. Voted at Woodward November 5, 1878.")

Q. Was Amos Evans one of the election-board at the polls where you voted October 8, 1872?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878, and had you with your wife resided in the election district of said Woodward Township continuously for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you, within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated Stonerstown, Pa., November 22, 1877. County tax in full for the year 1877, signed by N. Hyssong, J. P. Stonerstown is in Bedford County, Pennsylvania.)

Q. Was N. Hyssong a collector of county taxes, and did you pay him said taxes on November 22, 1877, the date of your receipt?—A. He was collector, and I paid him the money and got the receipt upon the day it is dated.

Q. Did you vote in said election district of Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. I voted for Seth H. Yocum.

And further saith not.

his
JOHN + WILLIAMS.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FREDERICK O'L. BUCK,
Amanuensis.

Adjourned at 5.30 to meet at 7 o'clock same day.

Met at 7 o'clock p. m. in pursuance of adjournment, and adjourned to meet at 8 o'clock a. m., March 27, 1879.

DENNIS WHITE sworn.

Question. Where do you live and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is fifty-three or fifty-four.

Q. Where were you born?—A. In Ireland.

Q. Have you ever been naturalized; and, if so, will you produce your certificate?—A. Yes, sir.

(Witness produces certificate of naturalization, that is a certificate of the record from the prothonotary of Centre County, as follows: Among the records of the court of common pleas of Centre County of April term, A. D. 1854, in the book for record of naturalization, it is thus recorded, to wit: "No. 2. Dennis White, a native of Ireland, sworn and admitted as a citizen of the United States, March 21, 1854." The above is certified to by John Moran, prothonotary, October 10, 1871. Seal of court of Centre County attached to certificate.)

Q. Had you lost your certificate of naturalization?—A. I considered I had when I wrote to get this, but found it afterward.

Q. Were you, in the open court of Centre County, Pennsylvania, naturalized on March 21, 1854?—A. Yes, sir.

Q. Had you, with your wife, resided in Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878, and in the election district of Houtzdale Borough for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated — for county tax for the year 1877, signed by John Auckerman, collector.)

Q. In what county did you pay said tax?—A. In Westmoreland County, Pennsylvania.

Q. Was John Auckerman collector of State and county taxes, and did you pay him the taxes called for in your receipt in the year 1877?—A. Yes, sir; he was, and I paid them in 1877.

Q. Did you vote in the election district of said Houtzdale Borough at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Were you present at the election-polls of Houtzdale Borough at 7 a. m. on November 5, 1878?—A. I don't know if I was present exactly at seven. I was there shortly afterwards, anyhow.

Q. Were you appointed one of the inspectors to hold the election in said Houtzdale Borough, and if so, by whom?—A. No, sir; I was appointed judge by Philip McDermott, majority inspector.

Q. Did you serve as judge of said election of November 5, 1878?—A. No, sir.

Q. Why not?—A. There was an objection made that I was not long enough in the place, by Squire McAteer.

Q. Was Squire McAteer and Frank Bolger present that morning?—A. The squire and Bolger were there.

Q. What are the politics of McAteer and Bolger?—A. I consider they are Democrats.

Q. Did McAteer raise considerable disturbance?—A. Yes; he had a great deal to say.

Q. Did he threaten or offer to take the ballot-box away from the polls?—A. Yes; he allowed he would take possession of them.

Q. Did or did not McAteer pick up the ballot-box and attempt to take it out of the room?—A. He had his hands on it, but whether he was determined to take it out of the room I could not say.

Q. After eight o'clock was an election board organized?—A. Yes, sir.

Q. From McAteer's conduct and talk, what was his evident purpose in objecting to your appointment and delaying the organization of the board?

(Objected to because the question asked witness to give an opinion as to the purpose of another man when it is only competent for him to state the facts as they actually occurred, and to leave the discovery of the intention and purposes of the parties concerned to the committee of Congress that will consider this case.)

A. I considered that he did not wish the Greenbackers to have a majority on the board, and my opinion was he wanted to delay the organizing of the board until after eight o'clock. I expressed my opinion to that effect at that time and told them to appoint some other man in my place if that would satisfy them.

Q. Was the election board after eight o'clock organized with a Republican judge, a Democratic inspector, and a Greenback inspector?—A. I can't say in regard to their politics, but they all appeared to be satisfied.

Q. Then you did not insist on acting as judge, but told them to get some one else?—A. Yes, sir; I did not insist. I told them I did not care about the office.

Q. Were you present during most of said election day, or part of it, at the polls?—A. Yes; I was there from the time they began voting until night, except when I went to dinner.

Q. Being there all the time, from your knowledge and observation was not the election held fairly and honestly and quietly?

(Objected to because witness not being a member of the board nor being conversant with the acts of the election officers inside is not competent to give an opinion as to the legality or illegality of the election.)

A. To the best of my knowledge it was.

Cross-examined:

Q. You say you procured the certified copy of record produced by you on the stand while under the impression that your papers were lost, but that you afterwards found them; where are those papers now?—A. They are at the house.

(Counsel for contestant at this point expressly reserves the right to move the committee of Congress considering this case to reject the testimony of witness because the proof of his naturalization is not the best proof that he can adduce, a certified copy of record only being evidence after it has been conclusively shown that the original evidence of witness's naturalization was either lost or destroyed.)

Q. Who was minority inspector of the election board of Houtzdale Borough, on the 5th of November, 1878?—A. I don't know who was minority inspector; I did not know the man; Philip McDermott was the majority inspector.

Q. Was Philip McDermott a Democrat, or a Republican, or a Greenbacker?—A. A Greenbacker to the best of my knowledge.

Q. What would the minority inspector's politics necessarily be if the Democrats had a majority in Houtzdale Borough?—A. I don't know the law in regard to that.

Q. If you had been allowed to serve as judge of the election would it not have given the control of the board to the Greenbackers?—A. Yes, sir; but I would have acted impartially.

Q. How long had you resided in Houtzdale Borough before the 5th of November, 1878?—A. I moved into Houtzdale Borough about the 8th or 9th of August, 1878.

Q. Were you personally acquainted with Squire McAteer and Frank Bolger?—A. Yes, sir.

Q. Do you know that McAteer is a justice of the peace of Houtzdale Borough?—A. I can't say that he was. I considered he was.

Q. Who was appointed judge after your name was withdrawn?—A. Mr. McNamara was one of the inspectors; James Moore was appointed judge after 8 o'clock.

Q. What was James Moore's politics?—A. I don't know.

Q. Were you a property-holder in Westmoreland County in 1877?—A. Yes, sir; and also in Clearfield County.

Q. What property did you own in Westmoreland County in 1877?—A. A house and lot.

Q. Were your county taxes on that property for the year 1877 \$5.83?—A. Yes, sir.

And further saith not.

DENIS WHITE.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE W. QUINN recalled and resworn.

Now, March 27, 1879, it is agreed by counsel for contestant and counsel for contestee that the testimony of witness delivered March 26, 1879, shall have the same force and effect as if due and legal notice of the taking of the same had been served upon contestant or his counsel.

GEO. R. BARNETT, JR.,
For Contestant.

W. A. ARNOLD,
Of Counsel for Contestee.

JOSEPH WILKINSON sworn.

(Counsel for contestant objects to the examination of witness because due and legal notice has not been served as required by the act of Congress, and counsel for contestant expressly reserves the right to move the committee of Congress to treat the testimony of witness as if it had never been taken.)

Question. Where do you live and what is your age?—Answer. Decatur Township, Clearfield County, Pennsylvania; am forty-eight years old.

Q. Where were you born?—A. In England.

Q. Have you ever been naturalized. And, if so, produce your certificate of citizenship.—A. Yes, sir. (Witness produces certificate of naturalization dated September 23, 1878, signed by Eli Bloom, prothonotary, and to which is attached the seal of the court of Clearfield County, Pennsylvania.)

Q. Were you naturalized in open court in Clearfield County, Pennsylvania, on September 23, 1878?—A. Yes, sir.

Q. Had you with your wife resided in the State of Pennsylvania continuously for the one whole year and more immediately preceding No-

vember 5, 1878, and in the election district of said Decatur Township continuously for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Is the following indorsement on your certificate of citizenship, viz: "November 5, 1878," and does that refer to voting on that day?—A. Yes, sir; I suppose it does; my boy took this to the polls.

Q. Did your son vote before you and did he present your certificate of citizenship upon which the election board wrote "November 5, 1878?"—A. Yes, sir.

Q. Then when you voted November 5, 1878, the election board knew the fact that you were naturalized, because your boy had presented your certificate when he voted?—A. Yes, sir.

Q. Had you within the two years preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir. (Witness produces receipt dated September 25, 18—, for his State and county tax for the year 1877, signed by Levi Goss, collector.)

Q. Was Levi Goss collector of State and county taxes, and did you pay him said taxes on September 25, 1878?—A. Yes, sir.

Q. Did you vote in the election district of Decatur Township at the general election held there November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

(Counsel for contestant declines to cross-examine for the reasons stated in the objection to the examination of witness.)

And further saith not.

his
JOSEPH + WILKINSON.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O'L. BUCK, *Amanuensis*.

A. B. IRWIN sworn.

(Objected to for the same reasons given to the taking of the testimony of the preceding witness, and for the additional reason that the notice of the examination of witness served by contestee's counsel upon counsel for contestant does not contain the name of A. B. Irwin.)

Question. Where do you live, and what is your age?—Answer. In Gulich Township, Clearfield County, Pennsylvania; my age is forty-three years.

Q. Are you married; and, if so, did you and your wife reside in the election district of said Gulich Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I am, and did.

Q. Where were you born?—A. In Huntingdon County, Pennsylvania.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes sir.

(Witness produces receipt, dated June 11, 1877, for his State and county tax assessed for the year 1877, signed by D. McGaughey, treasurer.)

Q. Did you vote in the election district of said Gulich Township at the election held November 5, 1878?—A. Yes, sir.

Q. Did you pay to D. McGaughey, county treasurer, said taxes, on June 11, 1877, the date of your receipt?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Cross-examined:

Counsel for contestant declines to cross-examine, for the reasons stated in the objections to witness testifying-in-chief.)

Re-examined:

Q. Is there any other A. B. Irwin in Gulich Township?—A. No, sir; there is none.

And further saith not.

A. B. IRWIN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

DAVID REESE sworn.

(Objected to for the same reasons as those stated to the examination of preceding witness.)

Question. Where do you reside, and what is your age?—Answer. Decatur Township, Clearfield County, Pennsylvania; my age is thirty years.

Q. Where were you born?—A. State of Maryland, United States.

Q. Are you married?—A. Yes, sir.

Q. Have you and your wife resided in the State of Pennsylvania continuously for one year immediately preceding the election of November 5, 1878, and in the election district of Decatur Township for the two months or more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you, within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt, dated August 21, 1878, for State and county tax for the year 1877, signed by Levi Goss, collector.)

Q. Did you pay Levi Goss said taxes on August 21, 1878?—A. Yes, sir.

Q. Did you vote at the general election of November 5, 1878, in the election district of said Decatur Township?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

(Counsel for contestant declines to cross-examine, for the same reasons as that given to the witness testifying in chief.)

And further saith not.

DAVID REESE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

BERNARD FOLEY sworn.

(Objected to for the same reasons as those given to the taking of the testimony of Joseph Wilkinson.)

Question. Where do you live, and what is your age?—Answer. Decatur Township, Clearfield County, Pennsylvania; my age is twenty-seven years.

Q. Where were you born?—A. In Ireland.

Q. Were you naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir.

(Witness produces certificate of naturalization, dated September 25, 1877, signed by A. M. Bloom, deputy prothonotary, to which is attached the seal of the court of common pleas of Clearfield County, on which certificate there is indorsed: "Voted November 5, 1878.")

Q. When you voted did you present said certificate, and did the election board of Decatur Township mark thereon "Voted November 5, 1878"?—A. Yes, sir.

Q. Were you naturalized in open court of Clearfield County, Pennsylvania, on September 25, 1877?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of said Decatur Township, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir. (Witness produces receipt dated September 4, 1878, for poll-tax, signed by Joseph Goss.)

Q. Did you pay said tax on September 4, 1878, the date of your receipt, and was Joseph Goss collecting tax, State and county, for Levi Goss, the collector?—A. Yes, sir; I paid it on that day and Joseph Goss was collecting for Levi Goss, collector.

Q. Did you vote in the election district of said Decatur Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum, and the full Greenback ticket.

Q. Did John Paisley give you the ticket, and was John Paisley working for Yocum?—A. Yes, sir.

Q. Did you read your ticket?—A. No, sir; John Paisley read it for me and he read Yocum's name on it.

(Counsel for contestant decline to cross-examine for like reasons as those given in the case of Joseph Wilkinson.)

And further saith not.

his
BERNARD + FOLEY.
mark.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED. O'L. BUCK,
Amanuensis.

JOHN PAISLY sworn.

(Counsel for contestant objects to the examination of this witness for the same reasons as those stated in the objections to the testimony in chief of Joseph Wilkinson.)

Question. Where do you reside, and what is your age?—Answer. Decatur Township, Clearfield County, Pennsylvania; my age is 24 years.

Q. Where were you born?—A. In Blair County, Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Had you resided in the election district of said Decatur Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two

months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated October 5, 1878, for his State and county tax for the year 1878, signed Levi Goss.)

Q. Was Levi Goss collector of State and county taxes, and did you pay him said taxes on October 5, 1878, the date of your receipt?—A. He was collector and constable, and I paid him October 5, 1878.

Q. Did you vote in the election district of said Decatur Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you give to Bernard Foley the ticket which he voted at said election, and was the name of Seth H. Yocum upon it for Congress?—A. Yes, sir; I gave it to him, and Yocum's name was on it; I was working for Yocum.

(Counsel for contestant declines to cross-examine for the same reasons as those stated to the examination of Joseph Wilkinson.)

And further saith not.

JOHN PAISLY.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

FREDERICK FOX sworn.

(Counsel for contestant objects to the examination of this witness for the same reasons as those stated to the examination of Joseph Wilkinson.)

Question. Where do you live and what is your age?—Answer. Gulich Township, Clearfield County, Pennsylvania; my age is 21, going on 22; I was 21 on the 23d of last September.

Q. Where were you born?—A. In State of Maine.

Q. Did you reside in the election district of said Gulich Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; that was my home.

Q. Had you resided in said Gulich Township for the two months and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election in Gulich Township held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Was you 21 years of age on September 23, 1878, and was you born September 23, 1857?—A. Yes, sir; I was born September 23, 1857.

(Counsel for contestant declines to cross-examine for the same reasons as those stated in the case of Joseph Wilkinson.)

And further saith not.

FREDERICK ^{his} + FOX.
mark.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.5, to meet at 1 o'clock p. m. same day.

Now, 1 o'clock p. m., examination resumed.

THOMAS PARTRIDGE sworn.

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; my age is 42 years.

Q. Where were you born?—A. In England.

Q. Have you been naturalized? and, if so, produce your certificate of naturalization.—A. Yes, sir; I have my father's papers, and vote on them.

Q. How old were you when you came to the United States from England?—A. From four to six years old.

Q. Did your father come to this country with you?—A. Yes, sir.

Q. Where, as near as you can tell, was your father naturalized?—A. About 1848, in the State of Pennsylvania, Schuylkill County.

Q. Are you married; and, if so, did you and your wife reside in the said election district of Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I am married, and we resided as stated.

Q. Had you, within the two years immediately preceding November 5, 1878, paid a State and county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

Q. To whom and when did you pay it?—A. To Joseph Higgins, collector of State and county taxes, about August, 1877.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Cross-examined:

Q. Have you in your possession your father's certificate of naturalization?—A. I have it at home, but not here. I did not know it was needed.

(Counsel for contestant objects to the testimony of witness in so far as it relates to his father's naturalization, it not being competent for him to establish his father's naturalization by parol proof, a certified copy of record, or his father's original certificate of naturalization, being the best evidence.)

Q. Are you sure you paid Joseph Higgins a State or county tax in 1877?—A. Yes, sir.

Q. How do you know you paid him in 1877?—A. Because I know it was the year before last.

Q. Did he give you a receipt?—A. Yes, sir.

Q. Where is that receipt?—A. It is either lost or torn up.

Re-examined:

Q. How often have you voted on your father's certificate?—A. Since about 1861.

Q. How often have you voted in said Woodward Township?—A. I have been voting there for four years.

And further saith not.

Attest:

[SEAL.]

THOMAS PARTRIDGE.

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

DENNIS WHITE recalled and resworn.

Question. Are you the Dennis White who testified here on the morning of this day?—A. Yes, sir.

Q. Have you your original certificate of naturalization with you now?—A. Yes, sir.

(Witness produces certificate of naturalization, signed by John T. Hoover, prothonotary of Centre County. Certificate so badly torn and mutilated as to be impossible to decipher date or seal of court; there can only be seen "21st day —, 1854.")

And further saith not.

DENIS WHITE.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOSEPH I. ROSEVEAR sworn.

(Objected to for the same reasons as those given to testimony of Joseph Wilkinson.)

Question. Where do you reside, and what is your age?—Answer. In Decatur Township, Clearfield County, Pennsylvania. My age is 32.

Q. Where were you born?—A. In England.

Q. Have you ever been naturalized?—A. Yes, sir.

Q. When and where?—A. Clearfield County, Pennsylvania, in the fall of 1872.

Q. Where is your certificate of naturalization?—A. At home. I did not bring it with me because I did not know it to be necessary.

(Counsel for contestant objects for the same reasons as objection urged against the testimony of Thomas Partridge.)

Q. Were you naturalized in open court in Clearfield County in the fall of 1872?—A. Yes, sir.

Q. Are you married; and, if so, did you and your wife reside in the election district of Decatur Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; and we resided in the district during that time.

Q. Do you own real estate in Osceola Borough, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated October 5, 1878, for State and county taxes for 1877–1878, signed by Thomas E. Clark, collector.)

Q. Was Thomas E. Clark collector of State and county taxes for Osceola Borough, and did you pay him said taxes on October 5, 1878, the date of your receipt?—A. Yes, sir; he was, and I did pay him as stated.

Q. Did you vote at the general election of November 5, 1878, in the election district of said Decatur Township?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

And further saith not.

JOSEPH I. ROSEVEAR.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

PHILIP RENARD sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; my age is 27 years.

Q. Where were you born?—A. In Germany.

Q. Have you been naturalized; and, if so, will you produce certificate of citizenship?—A. Yes, sir.

(Witness produces certificate dated March 18, 1878, signed by Eli Bloom, prothonotary, and having the seal of the court of common pleas of Clearfield County, Pennsylvania, attached thereto.)

Q. Were you naturalized in open court on March 18, 1878?—A. Yes, sir.

Q. Is the following indorsement on your said certificate of naturalization: "Voted at Woodward, November 5, 1878"?—A. Yes, sir.

Q. Did you present this paper when you voted to the election board, and did they mark it voted as stated?—A. Yes, sir.

Q. Was you married on November 6, 1878?—A. No, sir.

Q. Have you been married since November 6, 1878?—A. Yes, sir.

Q. Did you reside in the election district of said Woodward Township for the one whole year and more continuously immediately preceding November 5, 1878?—A. Yes, sir.

Q. Have you paid a State or county tax within the two years immediately preceding November 5, 1878, which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness produces receipt dated August 24, 1878, for State and county taxes for the year 1878, signed Thomas Henderson, collector.)

Q. Did you pay said taxes to said Henderson on August 24, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress November 5, 1878?—A. I voted the whole Greenback ticket. John M. Chase gave me my ticket.

Cross-examined:

Q. Then you don't know of your own knowledge whether you voted for Seth H. Yocum or not?—A. Yes, sir; I read Yocum's name on it.

And further saith not.

PHILIP RENARD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

THOMAS HENDERSON sworn.

Question. Have you been and are you collector of State and county taxes for Woodward Township?—Answer. Yes, sir; for the year 1878.

Q. Did Terance Bigley ever pay you any State or county tax?—A. No, sir.

And further saith not.

THOMAS HENDERSON.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

JAMES LEONARD sworn.

(Objected to for the same reasons as Joseph Wilkinson.)

Question. Where do you live, what is your age, and where were you born?—Answer. Decatur Township, Clearfield County, Pennsylvania. I am 25 years old, and was born in Pennsylvania.

Q. Did you and your wife reside in said Decatur Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Have you paid a State or county tax within the two years immediately preceding November 5, 1878, which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

(Witness here produces receipt of Levi Goss, collector, dated August 19, 1877, for State and county tax for the year 1877, which he says he paid to Levi Goss at that time.)

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1875?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

And further saith not.

JAMES LEONARD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 3.40 p. m., March 27, 1879.

TESTIMONY IN BEHALF OF THE CONTESTEE.

In the matter of the contested election in the twentieth Congressional district of Pennsylvania for a seat to represent said district in the House of Representatives of the United States of America in the Forty-sixth Congress.

Depositions of witnesses before Wm. Radebaugh, a notary public of the State of Pennsylvania, a resident of the town of Clearfield, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the Pennfield Hotel, in the village of Pennfield, Township of Huston, Clearfield County, Pennsylvania on the part of Hon. Seth H. Yocum, contestee, on the 28th day of March, A. D. 1879, commencing at 8 o'clock a. m.

T. W. LETTS sworn.

(Counsel for contestant objects and protests to the taking of the testimony of the witness now sworn for the reason that the contestant or his counsel have not had such notice of the taking of the testimony of this witness at this time and place as is required by the act of Congress regulating proceedings wherein the right to seats in the United States Congress are contested. Counsel for contestant expressly reserve the right to move the committee of Congress who shall hear this case to strike out the testimony of this witness for the reasons above stated.)

Question. Where and when were you born?—Answer. State of New York, in 1838.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family reside in Huston Township,

Clearfield County, Pennsylvania, for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years immediately preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month prior to November 5, 1878, and have you any receipts for the same; and, if so, produce them?—A. Yes, sir; I did. My receipts are locked up in a tin trunk and I have lost the key.

Q. Did you vote in the election district of Huston Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Cross-examined:

(Counsel for contestant, reserving the right to all legal exceptions to the testimony of the witness and expressly reserving the right to move the committee of Congress to strike out the testimony of witness for the reasons set forth in the objections to his testifying, now proceeds to cross-examine.)

Q. Did you read the ticket which you voted on November 5, 1878?—A. I did.

Q. Can you remember any of the names that were upon that ticket?—A. Yes; some of them.

Q. Will you mention some of them?—A. Kratzer, of Clearfield, for one.

Q. Who was on that ticket for governor?—A. Mason.

Q. When and to whom did you pay a State or county tax within two years preceding November 5, 1878?—A. I think I paid it to Sylvester Hunt some time during the summer of 1877.

Q. Are you certain the tax you paid Sylvester Hunt was a State or county tax?—A. I am certain it was a State and county tax.

Q. Upon what property was that tax assessed?—A. Property belonging to me (real estate) in Pennfield.

Q. Are you positive you paid Sylvester Hunt a State and county tax in the year 1877?—A. I am.

Q. Was your vote challenged at the election of November 5, 1878?—A. It never was challenged.

Re-examined:

Q. Are you sure you paid a State and county tax in 1877?

Question withdrawn.

Recross-examined;

Q. Was this the only State and county tax you paid within said two years?—A. I am not positive that it is.

And further saith not.

T. W. LETTS.

Attest:

[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O'L. BUCK,
Amanuensis.

JOHN LABORDE affirmed.

(Counsel for contestant objects to the taking of the testimony of this witness, and reserves the same rights and making the same objections as to the taking of the testimony of T. W. Letts.)

Question. Did you vote in Clearfield County at the general election of November 5, 1878?—Answer. No, sir.

Q. Were you at any election at that day?—A. No, sir.
And further saith not.

J. B. LABORDE.

Attest:
[SEAL.]

WM. RADEBAUGH, *Notary*.
FRED'K O'L. BUCK,
Amanuensis.

HERY ROGERS sworn.

Counsel for contestant objects to the taking of the testimony of this witness now sworn, for the same reasons as in objection to the taking of the testimony of T. W. Letts, and reserving the same rights.)

Question. When and where were you born?—Answer. In Pennsylvania, in 1848.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in Huston Township, Clearfield County, Pennsylvania, for more than one whole year immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you pay a State and county tax within two years preceding said election which was assessed more than two months and paid more than one month prior thereto?—A. I did.

Q. Did you vote in the election district of Huston Township, Clearfield County, Pennsylvania, at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Cross-examined:

Q. Did you read your ticket which you voted on November 5, 1878?—A. I did.

Q. Can you remember any names that were upon that ticket?—A. I remember of Mr. Bird's name being on the ticket.

Q. Can you remember any other name?—A. I cannot.

Q. Have you a receipt for the payment of the State and county tax which you say you paid within said two years?—A. I have, for 1878; also for 1877, but have not got it with me.

Q. When was the 1878 tax paid—that is, on what day and month?—A. I can't say without looking at the receipt.

Q. Without looking at the receipt, about what time was it paid?—A. I think about September.

Q. About what time in September?—A. I could not say what time exactly.

Q. Were these taxes paid at the time of the date of the receipt?—A. They were.

Q. Did you see the receipt written, and was the date written upon that receipt the day and month and year upon which you paid said taxes?—A. I did, and it was paid that day.

Q. Was it paid in money and by yourself?—A. It was.

Q. When you offered to vote on November 5, 1878, was your vote challenged?—A. Mr. Towns asked me if I had a receipt, and I showed it to him. I was not challenged.

Q. Were you required to make a partly printed and partly written affidavit, before your vote was received, as to your residence and the payment of your taxes?—A. No, sir.

Q. On what day of the week were these taxes paid, which you say were paid about September, 1878?—A. I could not tell.

Q. Do you think it was on Saturday?—A. I could not say.

Re-examined:

Q. Will you produce the receipt which you have with you for payment of State and county taxes?—A. Yes, sir.

Witness produces receipt, which reads as follows:

“PEMFIELD, PA., Oct. 5th, 1878.

“Received of Henry Rogers $\frac{26}{100}$ dollars, county & State tax for 1878.

“J. H. ROSENKRANS.”

Q. Was J. H. Rosenkrans collector of State and county taxes for Huston Township for the year 1878?—A. Yes; he was.

And further saith not.

HENRY ROGERS.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED’K O’L. BUCK,
Amanuensis.

JOSEPH SULLIVAN sworn.

(Counsel for contestant makes the same objections to the taking of the testimony of this witness now sworn as were made to the taking of the testimony of T. W. Letts, and makes the same reservations.)

Question. Where do you reside, and what is your age?—Answer. Huston Township, Clearfield County, Pennsylvania. My age is twenty-two years.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding November 5, 1878?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you ever pay a State or county tax?—A. No, sir.

Q. Did you vote in Huston Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Counsel for contestant objects to this question, for the reason that it is an improper question, and the witness need not tell for whom he voted until his vote shall have been shown to be illegal.)

A. Andrew G. Curtin.

Cross-examined:

Q. How old were you on November 5, 1878; were you between the ages of twenty-one years and twenty-two years?—A. Yes, sir; I was.

Q. Did you vote on November 5, 1878, on age?—A. Yes, sir.

Q. Were you a citizen of the United States for one month or more immediately preceding said election?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for at least one year, and in the election district of Huston Township for two months or more immediately preceding said election?—A. Yes, sir.

And further saith not.

JOSEPH SULLIVAN.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED’K O’L. BUCK,
Amanuensis.

ELIAS W. HOLLOPETER sworn.

(Counsel for contestant objects to the taking of the testimony of this witness now sworn for the same reasons as those stated to the taking of the testimony of T. W. Letts, and making the same reservations.)

Question. Where do you reside?—Answer. Union Township, Clearfield County, Pennsylvania.

Q. Where were you born?—A. In Union Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Union Township, Clearfield County, Pennsylvania, with your family, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you vote in the election district of Union Township aforesaid at the election of November 5, 1878?—A. Yes, sir.

Q. Were you on that day between the ages of twenty-one and twenty-two years?—A. Yes, sir.

Q. Did you vote on age?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Cross-examined:

Q. Did you read the ticket that you voted on November 5, 1878?—A. Yes, sir.

Q. Can you tell me what names were upon that ticket?—A. Yocum; I don't remember what the other names were, whatever were upon his ticket.

Q. Whose name was on your ticket for governor?—A. Hoyt.

Q. Whose name for judge of the supreme court?—A. I can't remember.

Q. Was it Ross, Sterrett, or Agnew?—A. I don't remember.

Q. When were you born?—A. On 17th of October, 1857.

Q. When you offered to vote were you required to make a written or printed affidavit as to your age and residence?—A. No, sir.

Re-examined:

Q. Were the members of the election board well acquainted with you?—A. Yes, sir.

And further saith not.

E. W. HOLLOPETER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE FITZGERALD sworn.

(Counsel for contestant objects to the taking of the testimony of this witness for the reasons set forth in the objections made to the taking of the testimony of T. W. Letts, and with the same reservations.)

Question. Where do you reside?—Answer. Union Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding November 5, 1878?—A. Yes, sir.

Q. Where and when were you born?—A. I was born in Sullivan County, Pennsylvania, in 1842.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. Did you vote in the election district of Union Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I voted the whole Democratic ticket.

Q. Did you vote for A. G. Curtin for Congress?—A. Yes, sir.

Cross-examined:

Q. Were you a citizen of the United States for one month and more immediately preceding said election?—A. Yes, sir; I was.

Q. Did you reside in the State of Pennsylvania for at least one year and in the election district of Union Township, Clearfield County, Pennsylvania, for two months and more immediately preceding the election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you pay a State or county tax within two years immediately preceding the election of November 5, 1878, which had been assessed at least two months and paid at least one month prior to November 5, 1878?—Yes, sir; I did.

Q. Have you a receipt for the payment of said tax and will you produce it?—A. Yes, sir; I have, and will produce it. (Witness produces receipt, dated July 27, 1877, for his State and county tax for 1877, assessed on his property situate in the township of Union, signed D. McGaughey, treasurer.)

Re-examined:

Q. The receipt which you have produced is for the taxes of "Geo. Fitzcharles"; is that your name?—A. No, sir; Fitzgerald is my name.

Q. Is there any man of the name of George Fitzcharles in Union Township?—A. No, sir.

Re-cross:

Q. Did you pay your State and county tax for the year 1877 to David McGaughey, treasurer of Clearfield County, on the 27th of July, 1877, and did you receive from him the receipt which you have in your hands for the payment of the same?—A. I paid it to Henry Whitehead, and he gave me the receipt.

Q. You paid it to Henry Whitehead, did you, and asked him to pay it to treasurer McGaughey?—A. Yes, sir.

Q. Did you receive the receipt which you now have in your hands from Henry Whitehead, who you directed to pay these taxes for you, and did he say he had paid them and that this was the receipt for the same?—A. He left it with my wife at my house.

Q. Did he ever tell you he had paid your State and county taxes to treasurer McGaughey for the year 1877 and any other years?—A. No; he never did.

Re-examined:

Q. All you know about it is that you gave the money to Whitehead and that he afterwards left this receipt with the name of "George Fitzcharles" with your wife at your house?—A. I never gave him the money for this tax; I worked for him on unseated land tax and he paid this from that work.

Q. Did you know anything about his paying it until you saw this receipt which he left at your house?—A. No, sir.

Q. Did you ever authorize or request him to pay this tax?—A. Yes, sir.

Q. Did you do so before he actually paid it?—A. Yes, sir.

Q. Might there not have been a man of the name of Fitzcharles living in Union Township and you not know it?—A. There might have been, sir; there is not to my knowledge.

Q. Other than this tax which Whitehead paid, did you pay any State or county tax within two years preceding November 5, 1878, or was any other such tax paid for you?—A. Eighteen hundred and seventy-eight was paid by the same man.

Q. When was that tax paid of 1878?—A. It was paid so as to save the 5 per cent.

And further saith not.

GEO. FITZGERALD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 12.10 to meet at 12.45 p. m. same day.

IRA CLINE sworn.

(Counsel for contestant objects to the taking of the testimony of Ira Cline, of Union Township, for the same reasons as those set forth in the objections to the taking of the testimony of T. W. Litts, and making the same reservations.)

Question. Where do you reside and what is your age?—Answer. Union Township, Clearfield County, Pennsylvania. I was twenty-two on January 24, 1879.

Q. Then you were born, were you or not, on January 24, 1857?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Where were you born?—A. State of Pennsylvania, Clearfield County.

Q. Did you reside in the election district of said Union Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election district of Union Township at the general election held November 5, 1878?—A. Yes, sir.

Q. At said election did you vote for Andrew G. Curtin or Seth H. Yocum for Congress; which of the two?

(Objected to, because it is leading.)

A. Seth H. Yocum.

Cross-examined:

Q. Did you read your ticket that you voted on November 5, 1878?—A. No, sir.

Q. Then you cannot swear positively, can you, that you voted for Seth H. Yocum for Congress?—A. I did not read my ticket.

Q. Then can you swear positively that you voted for Seth H. Yocum for Congress on November 5, 1878?—A. I could not when I did not read my ticket.

Q. When you voted on November 5, 1878, were you required to make an affidavit as to your age?—A. Yes, sir.

Q. Was that affidavit a written or a printed affidavit?—A. Yes, sir; there was printing on it.

Q. By whom were you sworn when you made this affidavit?—A. Mr. Whitehead.

Q. Was Mr. Whitehead a member of the election board of Union Township?—A. I suppose so. He belonged to the township.

Q. Where did you live on October 1, 1878?—A. At home, in Union Township.

Re-examined:

Q. Was Mr. Whitehead in the election-room when you were sworn?—A. Yes, sir.

Q. May he not have prepared the affidavit and some one else sworn you to it?—A. Mr. Whitehead swore me. I don't know who made the paper out.

Q. Are you certain that it was Mr. Whitehead who swore you to the paper?—A. Yes, sir.

Q. From whom did you get the ticket that you voted November 5, 1878?—A. From John Keisickle.

Q. Was John Keisickle a Yocum man?

(Objected to as leading.)

A. That is what he said.

Q. Was he not working for Yocum?

(Objected to as leading.)

A. He was not electioneering for him. He gave me my ticket.

Q. What are your politics?—A. I am a Greenbacker.

Q. Was not Keisickle a Greenbacker?—A. He said he was.

And further saith not.

IRA CLINE.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

JOHN WOOD sworn.

(Counsel for contestant objects to the examination of the witness now sworn for the same reasons as those stated to the objections to the testimony of W. T. Letts, with the same reservations.)

Question. Where do you reside, and what is your age?—Answer. Huston Township, Clearfield County, Pennsylvania; I am 45 years of age.

Q. Where were you born?—A. State of Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the State of Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878?—A. No, sir; I have only been married since the 18th of September last.

Q. Did you reside in the State of Pennsylvania during that time?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax?—A. Yes, sir; I have paid all that was required of me.

Q. To whom, and when?—A. To Jacob Huffman; some time in September, 1878.

Q. Are you certain you paid a State or county tax some time in September, 1878?—A. Yes, sir; I will be qualified to that.

Q. Did you vote in the election district of Huston Township on November 5, 1878?—A. Yes, sir.

Q. Did you read your ticket before you voted?—A. No, sir.

Q. What are your politics?—A. Democratic, sir.

Q. For whom did you vote at said election for Congress?—A. I believe it was Andrew G. Curtin.

Cross-examined:

Q. From whom did you get your ticket?—A. From Hiram Woodward.

Q. Was Hiram Woodward an active worker for Andrew G. Curtin and the whole Democratic ticket on November 5, 1878?—A. I never asked him about that, sir; he took an interest the same as I took for the Democratic party.

Q. Did you vote the ticket which Hiram Woodward gave you at that election?—A. Yes, sir.

Q. Were you a citizen of the United States for one month and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for one year, and within the election district of Huston Township for at least two months, immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Were the members of the election board of Huston Township who held the election of November 5, 1878, personally acquainted with you?—A. Yes, sir; I worked for one of them.

And further saith not.

JOHN WOOD.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.

F. O'L. BUCK,
Amanuensis.

GEORGE POWELL sworn.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn for the same reasons as those stated to the taking of the testimony of T. W. Letts, with the same reservations.)

Question. Where do you reside, and what is your age?—Answer. Elk County, Pennsylvania; my age is 24 years.

(Counsel for contestant objects and protests to the taking of the testimony of this witness now sworn, for the reason that contestant or his counsel have no notice whatever that the testimony of George Powell, resident of Elk County, would be taken, as it is required he should have by act of Congress regulating proceedings wherein rights to seats in the Congress of the United States are contested.)

Q. When did you move to Elk County, and where from?—A. I moved to Elk County from Huston Township, Clearfield County, Pennsylvania, about a month after the election of November 5, 1878.

Q. Where were you born?—A. In Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax?—A. Yes, sir.

Q. To whom, and when?—A. To John Jamison, the collector of Brady Township, in the spring of 1878.

Q. Did you get a receipt?—A. Yes, sir.

Q. Where is it?—A. I have lost it.

Q. Did you vote in the election district of said Huston Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Did you read your ticket?—A. Yes, sir.

Cross-examined:

(Counsel for contestant, reserving the right to all legal exceptions, and particularly the right to move to strike out the testimony of this witness now sworn before the committee of Congress who shall hear the cause, for the reasons set forth in the several objections to the taking of testimony of this witness, and for the reasons set forth in the objection to the taking of the testimony of T. W. Letts, now proceeds to cross-examine.)

Q. Are you positive you voted for Andrew G. Curtin?—A. Yes, sir.

Q. Was your vote challenged at said election?—A. Yes, sir.

Q. What were you required to do before your vote was received?—A. To make oath I had paid tax.

Q. Were the election officers of said election personally acquainted with you?—A. No, sir; they were not.

Q. Were you required to give them satisfactory evidence that you were entitled to a vote at said election in said township?—A. Yes, sir.

And further saith not.

GEORGE POWELL.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

JOHN SULLIVAN sworn.

(Counsel for contestant objects to the examination of the witness now sworn for the same reasons as those stated in the objection to the testimony of T. W. Letts, and making the same reservations.)

Question. Where do you reside?—Answer. In Huston Township, Clearfield County, Pennsylvania.

Q. Where were you born?—A. In Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Did you reside in Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax?—A. No, sir.

Q. Did you vote at the general election of November 5, 1878, in the election district of said Huston Township?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Are you certain you voted for Andrew G. Curtin for Congress?—A. Yes, sir; I read my ticket.

Cross-examined:

Q. How old were you on November 5, 1878, when you voted for Curtin for Congress?—A. I was between the age of twenty-one and twenty-two years.

Q. Were you a citizen of the United States for at least one month preceding November 5, 1878?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for one year and more immediately preceding November 5, 1878, and within the election district of Huston Township for two months and more immediately preceding that election?—A. Yes, sir.

Q. Did you vote at said election in said district on age?—A. Yes, sir.
And further saith not.

JOHN SULLIVAN.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

GEORGE BROWN sworn.

(Counsel for contestant objects to the examination of this witness for the same reasons as those stated in the objections to the testimony of T. W. Letts, and with the same reservations.)

Question. Where do you reside, and what is your age?—A. Answer. Union Township, Clearfield County, Pennsylvania; my age is twenty-two years.

Q. When were you born?—A. In February, 1857.

Q. On November 5, 1878, were you over twenty-one and under twenty-two years of age?—A. Yes, sir; I was.

Q. Were you born in Pennsylvania?—A. Yes, sir; I was.

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife, reside in the election district of said Union Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; I did.

Q. Did you vote in the election district of Union Township at the general election held November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum.

Q. Did you read your ticket, and are you certain you voted for Yocum?—A. I did read it, and am certain I voted for him.

And further saith not.

GEORGE BROWN.

Attest:
[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 4.40 to meet at 6.30 p. m. same day.

GEORGE W. WEAVER sworn.

(Counsel for contestant objects to the examination of this witness for the same reasons as those stated in the objections to the testimony of T. W. Letts, with the same reservations.)

Question. Where do you reside?—Answer. Huston Township, Clearfield County, Pennsylvania.

Q. Had you resided in the State of Pennsylvania continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you, within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Huston Township at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Cross-examined:

Q. Were you a citizen of the United States for one month and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania for at least one year, and in the election district of Huston Township, Clearfield County, Pennsylvania, for at least two months prior to November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years immediately preceding the election of November 5, 1878, which had been assessed at least two months, and paid at least one month immediately preceding said election?—A. Yes, sir.

Q. Was your vote challenged at said election?—A. No, sir.

Q. Was you required to make a written or printed or partly written or partly printed affidavit that you had resided in the election district of Huston Township for at least two months preceding said election, and that you had paid a State or county tax within two years immediately preceding said election, which had been assessed at least two months and paid at least one month before said election?—A. No, sir.

Re-examined:

Q. When did you move into said Huston Township?—A. About the last of August, 1878.

And further saith not.

GEO. W. WEAVER.

Attest:

[SEAL.]

WM. RADEBAUGH,
Notary.
FRED'K O'L. BUCK,
Amanuensis.

Adjourned at 8 o'clock p. m., March 28, to meet at 10.30 p. m., March 29, 1879.

Now, 10.30 o'clock a. m., examination resumed.

DAVID DE LONG sworn.

(Counsel for contestant objects and protests to the taking of testimony of this witness now sworn for the reason that contestant has not received such notice of the taking of the testimony of this witness now sworn as is required by the act of Congress regulating proceedings for contested rights to seats in the Congress of the United States, and counsel for contestant expressly reserves the right to move the committee of Congress who shall hear the case to strike out the testimony of witness for the reason stated in the foregoing objections to his testifying.)

Question. Where do you reside?—Answer. Huston Township, Clearfield County, Pennsylvania.

Q. Did you pay a State or county tax within two years preceding November 5, 1878?—A. Yes, sir; I paid my tax for 1877 to Jacob Huffman.

Q. When did you pay that tax to Huffman?—A. It was before the election of 1877, in time to secure my vote at that election.

Q. Have you a receipt for the payment of taxes?—A. Jacob Huffman gave me a receipt, but I lost it.

Q. For what year was the tax assessed that you paid to Huffman?—A. For the year 1877. I have also a tax receipt for 1876, from Liberty Township, Centre County.

Q. Was the tax you paid to Huffman the only State or county tax you

paid within two years?—A. Yes, sir; I went to Mr. Rosenkurtz to pay my tax this year and he had none against me.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding November 5, 1878, and in Huston Township, Clearfield County, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you vote in Huston Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Cross-examined:

(Counsel for contestant, reserving all rights and privileges relative to the testimony of this witness, proceeds to cross-examine.)

Q. When you offered to vote at Huston Township, on November 5, 1878, were you required by the election board in said township to make an affidavit that you had resided in said district for at least two months immediately preceding said election, and that you had paid a State or county tax within two years immediately preceding said election, which had been assessed at least two months and paid at least one month before said election?—A. I was not asked to make affidavit; I showed my receipt that I was a regular voter.

And further saith not.

DAVID DE LONG.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

WILLIAM H. LENIG sworn.

(Counsel for contestant objects to the taking of the testimony of this witness, for the same reasons as in objections to the taking of the testimony of David De Long, and making the same reservations.)

Question. Where do you live?—Answer. Huston Township, Clearfield County, Pennsylvania.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Huston Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Did you vote in the election district of Huston Township at the general election of November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Cross-examined:

Q. Was you a citizen of the United States for one month and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Before your vote was received in said township of Huston at said election, were you required by the election officers to make an affidavit as to your residence in said district, and also as to the payment of your taxes as is required by the constitution of Pennsylvania?—A. I was not.

Q. Did you read the ticket which you voted at said election?

And further saith not.

W. H. LENIG.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FRED'K O'L. BUCK,

Amanuensis.

Adjourned at 11.45 a. m. to meet at 2 o'clock p. m. same day.

WILLIAM HAWK sworn.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn, for the same reasons as those stated in the objections to the taking of the testimony of David De Long, and making the same reservations.)

Question. Where do you reside?—Answer. Huston Township, Clearfield County, Pennsylvania.

Q. How long have you resided there?—A. Twenty-four years.

Q. Did you vote at the election held in Huston Township on November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Are you acquainted with Johnson Horn, Ed. Crans, John Callahan, George Major, J. P. Sullivan, Henry Weymoth, Patrick Flynn, Davidson Blackwell, George Newell, D. Newell, and Albert Newell, all now or lately of Huston Township, Clearfield County, Pennsylvania?

(Objected to because it is immaterial and irrelevant.)

A. Yes, sir.

Q. What is their politics, Democratic or Republican?

(Objected to by counsel for contestant for the reason that the persons' names in the preceding question are the best evidence of what their politics are, and for the further reason that the witness cannot possibly know, of his own knowledge, what their politics are, and his answer must depend upon what others have told him, and is therefore also hearsay; and counsel for contestant further objects to this question and the answer of witness thereto, for the reason that the contestee has not made witnesses out of the said parties, and has, by his own negligence, permitted the best evidence to remain unheard.)

A. Democratic.

Q. Are you well acquainted with the citizens of Huston Township?

(Objected to, because it is immaterial and irrelevant.)

A. A good many of them.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Huston Township, Clearfield County, Pennsylvania, for more than two months prior thereto?—A. Yes, sir.

Cross-examined:

Q. Were you, before your vote was received at the election of November 5, 1878, required to make an affidavit by the said election board of Huston Township, in which you made proof of your residence and of the payment of your taxes within the time required by law?—A. No, sir.

And further saith not.

WILLIAM HAWK.

Attest:

[SEAL.]

WM. RADEBAUGH,

Notary.

FREDK. O'L. BUCK,

Amanuensis.

The following erasures and interlineations, appearing in the foregoing testimony, were made in recording said testimony by the notary (and amanuensis in the presence of notary), in the presence of counsel both for contestant and contestee:

In the 16th line of page 3 the words "of the" were stricken out.

In the 3d line of page 11 the words "for Chas." were stricken out.

In the 14th line of page 12 the word "in" was stricken out.

In the 8th line of page 15 the word "irrelevant" was stricken out.

In the 23d line of page 18 the word "adjourned" was stricken out.

In the 32d line of page 31 the word "said" was written above said line.

In the 15th line of page 33 the word "McGaughey" was stricken out.

In the 1st line of page 37 the word "would" was stricken out.

In the 28th line of page 40 the word "yes" was stricken out.

In the 6th line of page 57 the abbreviation "ans." was stricken out.

In the 8th line of page 60 the words "to state" written above said line.

In the 28th line of page 72 the words "that day" were stricken out.

In the 16th line of page 74 the abbreviation "ques." was stricken out.

In the 13th line of page 78 the word "when" was stricken out and the word "and" written above said line.

In the 11th line of page 102 the word "know" written above said line.

In the 30th line of page 105 the words "Republicans" stricken out.

In the 32d line of page 113 the word "or" written above said line, and the letters "ic" stricken from the word "Democratic."

In the 17th line of page 119 the word "cross" written above said line and the abbreviation "ques." stricken out.

In the 6th line of page 125 the word "of" written above said line.

In the 3d and 4th lines of page 145 the abbreviation "ques." and the words "Did you ever tell Wm. Clark, of Houtzdale" stricken out.

In the 21st line of page 153 the word "receipt" written above said line.

In the 29th line of page 154 the word "September" partly obliterated and written over.

In the 11th line of page 164 the word "Lawrence" partly obscured and written over.

In the 1st line of page 172 the words "John Anderson" stricken out.

In the 9th line of page 173 the abbreviation "ques." and the words "I am a single man" stricken out.

In the 1st line of page 176 the prefix "Mc" written above said line.

In the 2d line of page 176 the word "called" written above said line.

In the 2d line of page 179 the word "me" written over an erasure.

In the 9th line of page 179 the word "which" stricken out.

In the 28th line of page 190 an erasure made and line drawn from the word "election" to the right-hand corner of said line.

In the 26th line of page 203 the word "of" written above said line.

In the 18th line of page 209 the words "the receipt" written above said line.

In the 27th line of page 209 the word "them" written above said line.

In the 32d line of page 209 the words "a qualified voter" written above said line.

In the 7th line of page 210 the letter "I" written over the word "and" in said line.

In the 18th line of page 211 the word "taxes" written above said line.

In the 25th line of page 215 the word "it" written above said line.

In the 16th line of page 225 the words "before me" written above said line.

In the 28th line of page 225 the abbreviation "didn't" written above said line.

In the 10th line of page 226 the word "not" written above said line.

In the 1st line of page 228 the letter "o" inserted over erasure in the word "Job."

In the 31st line of page 230 the word "you" inserted above said line.

In the 10th line of page 231 the words "while in there" stricken out.

In the 3d line of page 233 the word "you" inserted above said line.

In the 8th line of page 233 the word "time" written above said line.

In the 3d line of page 237 the word "about" partly obliterated and written over an erasure.

In the 1st line of page 238 the word "you" inserted between the words "do" and "know" in said line.

In the 21st line of page 238 the word "me" stricken out.

In the 19th line of page 240 the words "in the district" written above said line.

In the 21st line of page 240 the words "was an actual resident" written above said line.

In the 9th line of page 245 the word "your" written above said line.

In the 8th line of page 241 the word "in" written above said line.

In the 7th line of page 250 the word "he" written above said line.

In the 9th line of page 253 the word "mark" written over erasure.

In the 7th and 8th lines of page 254 the words and figures "of 6 illegal votes that you know of" stricken out.

In the 18th line of page 255 the abbreviation "Wm." and the letter "C" stricken out.

In the 24th line of page 257 the letters "ing" stricken from the word "doing."

In the 27th line of page 257 the word "them" written above said line.

In the 32d line of page 265 the words "at least two months" written above said line.

In the 25th line of the 268th page the word "you" stricken out.

In the 8th line of page 271 the word "taxes" written above said line.

In the 9th line of page 271 the word "you" written above said line.

In the 2d line of page 275 the words "in his answer" written above said line.

In the 12th and 13th lines of page 277 the words "it unless witness can answer" stricken out.

In the 15th line of page 284 the word "not" inserted above said line.

In the 22d line of page 294 the word "never" written above said line.

In the 30th line of page 294 the words "I saw" written above said line.

In the 5th line of page 295 the words "the paper says" written above said line.

In the 18th line of page 298 the words "some of them" written above said line.

In the 6th line of page 301 the word "their" written above said line.

In the 28th line of page 301 the word "more" written above said line.

In the 9th line of page 307 the word "you" written above said line.

In the 7th line of page 309 the words "by consent of counsel for contestee" written above said line.

In the 26th line of page 314 the word "assessed" written above said line.

In the 6th line of page 321 the word "by" written above said line.

In the 8th line of page 321 the word "you" written above said line.

In the 27th line of page 325 the word "paid" written above said line.

In the 30th line of page 325 the words "or" and "you" written above said line.

In the 21st line of page 326 the word "he" written above said line.

In the 20th line of page 329 the words "to the collector" written over erasure.

In the 27th line of the 331st page the word "not" written above said line.

In the 25th line of page 336 the word "Presidential" written over erasure.

In the 27th line of page 339 the word "it" written above said line.

In the 19th and 20th lines of page 342 the words "made and signed by the election officers and" stricken out.

In the 4th line of page 348 the word "you" written above said line.

In the 6th line of page 350 the word "those" written above said line.

In the 23d line of page 350 the word "paid" written above said line.

In the 6th line of page 351 the word "you" written above said line.

In the 12th line of page 356 the word "tell" written above said line.

In the 8th line of page 357 the word "tell" was stricken out.

In the 27th line the word "answering" is written over erasure.

In the 28th line the word "whether" written over erasure.

In the 22d line of page 360 the word "November" written above said line.

In the 22d line of page 364 the word "all" written above said line.

In the 4th line of page 367 the words "each of" stricken out.

In the 5th line of page 371 the word "know" written above said line.

In the 9th line of page 374 the word "for" written above said line.

In the 23d line of page 387 the words "the reason" written above said line.

In the 7th line of page 408 the word "is" written above said line.

In the 30th line of page 412 the words "to the county treasurer" written above said line.

In the 15th line of page 419 the word "and" written above said line.

In the 21st line of page 424 the word "tax" written above said line.

In the 20th line of the 427th page the word "Milton" written over erasure.

In the 5th line of the 434th page the words "or two" written above said line.

In the 1st line of page 437 the word "at" stricken out.

In the 1st line of page 440 the word "ever" written above said line.

In the 5th line of page 440 the words "after he came there" written above said line.

In the 17th line of page 443 erasure made and ink line drawn the length of said line.

In the 19th line of page 445 the word "say" written above said line, and the word "with" stricken out.

In the 1st line of page 446 the word "was" written above said line.

In the 14th line of page 446 the word "his" written above said line.

In the 2d line of page 452 the abbreviations "Clf. Co., Pa.," written above said line.

In the 27th line of page 453 the word "him" written above said line.

In the 12th line of page 460 the word "the" written above said line.

In the 13th line of page 460 the words "you have" written above said line.

In the 11th line of page 470 the word "me" written above said line.

In the 24th line of page 473 the word "kept" written above said line.
In the 26th line of page 474 the word "better" stricken out.
In the 16th and 17th lines of page 480 the words "at the Centennial Hotel in Houtzdale Borough, Clearfield County, Pennsylvania," written over an erasure.

In the 19th line of page 488 the word "whether" written above said line.

In the 29th line of page 495 the word "to be" written above said line.

In the 15th line of page 496 the words "the time" written above said line.

In the 32d line of page 497 the word "they" stricken out.

In the 30th line of page 500 the word "was" written above said line.

In the 26th line of page 503 the word "not" stricken out.

In the 30th line of page 503 the word "the" written above said line.

In the 21st line of page 504 the word "however" written above said line.

In the 13th line of page 507 the word "other" written above said line.

In the 20th line of page 512 the word "it" written above said line.

In the 7th line of page 516 the words "know you" and "it" written above said line.

In the 17th line of page 520 the word "how" written above said line.

In the 9th line of page 529 the words "he gave me" written above said line.

In the 2d line of page 545 the word "ticket" written above said line.

In the 11th line of page 552 the word "in" written above said line.

In the 12th line of page 580 the word "preceding" written above said line.

In the 20th line of the 582d page the word "him" stricken out.

In the 1st line of page 594 the words "no, sir" written above said line.

In the 18th line of page 598 erasure made and line filled up by the ink line.

In the 29th line of page 600 the word "himself" written above said line.

In the 3d line of the 603d page the word "age" written above said line.

In the 18th line on page 607 the word "know" written above said line.

In the 15th line on page 635 the word "which" stricken out.

In the 21st line of page 665 the words "you pay" written above said line.

In the 3d line of page 666 the word "all" written above said line.

In the 29th line of page 668 the word "said" written above said line.

In the 19th line of page 677 the words "or more" stricken out.

In the 20th line of page 688 the word "for one year" written above said line.

In the 4th line of page 691 the word "name" written above said line.

In the 26th line of the 726th page the words "less than" written over erasure.

In the 12th line of page 728 the words "at the store" stricken out.

In the 13th and 14th lines of page 731 the words "of said Woodward Township" stricken out.

In the 7th line of page 750 the words and figures "on the 5th day of November last" written above said line.

In the 2d line of page 755 the words "swear to" written above said line.

In the 20th line of page 756 the words "in the district" written above said line.

In the 17th line of page 757 the word "not" stricken out.

In the 18th line of page 778 the word "continuously" written above said line.

In the 20th line of page 778 the word "district" written above said line.

In the 12th line of page 783 the words "yes, sir" written above said line.

In the 23d line of page 785 the word "continuously" written above said line.

In the 14th and 15th lines of page 789 the words "on what day and" stricken out.

In the 1st line of page 791 the word "he" written above said line.

In the 30th line of page 814 the word "move" written above said line.

In the 17th line of page 815 the word "John" written over erasure.

In the 18th line of page 815 the word "Brady" written over erasure.

In the 32d line of page 822 the abbreviation "ans." and the words "yes, sir," stricken out.

In each word stricken out, erased, or written over, above referred, to the line upon which such appears is counted from the top of such page. The number of such page appears upon the bottom in each and every case referred to.

WM. RADEBAUGH,
Notary Public.
FRED'K O'L. BUCK,
Amanuensis.

STATE OF PENNSYLVANIA,
Clearfield County, ss :

Frederick O'Leary Buck, being duly sworn, doth depose and say that as clerk for Wm. Radebaugh, a notary public of Clearfield County, resident of the twentieth Congressional district of the State of Pennsylvania, and before whom the testimony of witnesses was taken in the matter of the contest for a seat in the House of Representatives of the United States of America, in the twentieth Congressional district, between Andrew G. Curtin, contestant, and Seth H. Yocum, contestee, he has impartially and duly written down the whole of the evidence of each and every witness produced, sworn or affirmed, and examined, in relation to any matter touching said contest, and in all things hath truly and faithfully performed his duty as clerk to the best of his ability.

FRED'K O'L. BUCK.

Sworn and subscribed before me this 18th day of April, A. D. 1879.

[SEAL.]

WM. RADEBAUGH,
Notary Public.

STATE OF PENNSYLVANIA,
Clearfield County, ss :

I, William Radebaugh, notary public in and for the said State and county, before whom depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to those depositions, and subscribed their names to their respective depositions in my presence; and that the questions and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses.

And I do further certify that the erasures and interlineations made therein, and particularly set forth on pages 828 to 838 inclusive, were made by me on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 18th day of April, A. D. 1879.

[SEAL.]

WM. RADEBAUGH,
Notary Public.

TESTIMONY IN BEHALF OF THE CONTESTEE.

In the matter of the contested election in the twentieth Congressional district of Pennsylvania, for a seat to represent said district in the House of Representatives of the United States of America in the Forty-sixth Congress.

Depositions of witnesses taken before John W. Scott, a notary public of the State of Pennsylvania, a resident of the borough of Osceola, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the court-house in the borough of Clearfield, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, contestee, on the 26th day of March, A. D. 1879, commencing at 9 o'clock a. m.

S. SNYDER BLOOM sworn.

Question. Where do you reside?—Answer. Knox Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Knox Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes.

Q. From whom did you get your ticket?—A. Well, I think, if I remember right, En. Bloom and I sat down together; he cut the tickets out for me, and I think I doubled them up myself.

Q. Do you know how many tickets Enos Bloom cut out and gave you?—A. No, I believe not.

Q. Did you fold them up as he handed them to you?—A. I don't remember whether I folded them up one by one, or whether I kept them until I got all of them.

Q. Did you vote the tickets which you thus folded up?—A. Yes, sir.

Q. After folding them, did you open and look at them before voting?—A. No, sir; not as I remember of.

Q. Can you now tell how many tickets you voted?—A. No, I can't; I thought I had the full hand.

Q. For whom did you vote at that election for Congress?—A. For Curtin, I believe, the Democratic candidate; I forget the two men's names.

Q. Did you vote for A. G. Curtin, the Democratic candidate for Congress?—A. Yes, sir.

Q. About how many tickets did Enos Bloom have when he gave you yours?—A. Well, I believe he had—you know how they are stamped—a sheet of them, and cut the tickets out.

Q. Did he have but one sheet of tickets there; and, if not, about how many sheets did he have?—A. Well, I don't remember whether he had any more or not.

Q. What kind of tickets did he have; Democratic or Republican?—A. Democratic tickets.

Q. Was he or not working in the interest of Curtin, at that election?—A. That is something I cannot tell you. I had him with me to tell me who was running at the election.

Q. What is Enos Bloom's politics?—A. Democratic, I believe.

Q. Are you sure you folded all the tickets you voted?—A. I think I did.

Q. Might not Enos Bloom have folded some of them?—A. Not as I remember of.

Q. I understand you to say, then, that Enos Bloom cut these tickets out, and that you think you folded them yourself, and did not afterward look at them. Is that correct?—A. Yes, sir.

Q. Can you swear how many tickets you voted for Curtin?—A. I was expecting to vote for one.

Q. Did you only intend to vote one ticket for him?—A. Yes, sir.

Q. Can you swear that you did not vote two?—A. I didn't know it if I did.

Q. Can you tell how many separate tickets you voted at that election?—A. I didn't count them.

Q. Which of the inspectors read your tickets?—A. I handed them in at the window; I supposed the board would attend to them.

Q. When did you pay a State and county tax?—A. I haven't paid any.

Q. When were you born?—A. I don't remember the year; it was the 26th of September.

Q. Was it as far back as 1854?—A. I don't hardly think it was.

Q. How old are you now?—A. Well, according to the family record, I'll be twenty-three the 26th day of September.

Q. Do you mean you will be twenty-three years of age on the 26th day of September, 1879?—A. Yes, sir.

Q. Did you ever pay a State or county tax?—A. No, sir; I didn't.

Cross-examined by Mr. O. L. KREBS :

Q. Did you offer to pay a State or county tax more than thirty days before the election of November 5, 1878?—A. Yes, sir.

Q. When the collector of State or county taxes came from Clearfield to your township, did you offer to him to pay tax?—A. Yes, sir.

Q. Where were you born?—A. In Clearfield County.

Q. Did you reside in Knox Township, Clearfield County, Pennsylvania, more than two months immediately preceding the November election of 1878?—A. Yes, sir; ever since I was a small chap.

Q. When you speak of your tickets, do you refer to the State, judiciary, and county ticket?—A. I hardly understand that.

Q. Was your ticket cut apart, and, if so, into how many parts?—A. It was; I believe it was cut apart, but I did not count them.

Q. Did you vote more than once for any candidate?—A. No, sir; not as I know of.

And further saith not.

SAMUEL SNYDER BLOOM.

Attest :

[SEAL.]

JOHN W. SCOTT,
Notary Public.

Now, 12 o'clock m., March 26, 1879, adjourned till 1 o'clock p. m. same day.

And now, March 26, 1879, at 1 o'clock p. m., examination resumed.

Previous witness, S. S. BLOOM, sworn.

Question. Are you the witness who was examined just before adjournment?—Answer. Yes, sir.

Q. What is your name in full?—A. Samuel Snyder Bloom.

Q. Did you vote in Knox Township at the general election in November 1877?—A. Yes, sir.

Q. Did you or not, at said election, in November, 1877, vote on age?—A. I voted on age.

And further saith not.

No cross-examination.

SAMUEL SNYDER BLOOM.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

CURTIS BLOOM produced and affirmed.

Question. Where do you reside?—Answer. When I voted, I lived in Knox Township.

Q. Did you vote in Knox Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at the election for Congress?—A. For Curtin.

Q. How many tickets did you vote?—A. I just voted the one hand.

Q. Was the ticket you voted all in one piece?—A. I thought they was.

Q. Are you sure you only voted one ticket for Curtin?—A. Yes, sir.

Q. Did you vote the whole Democratic ticket?—A. Yes, sir.

Q. And you think you did not vote more than one ticket?—A. No, sir; I don't think I did.

Q. Did you read your ticket before voting?—A. Yes, I guess I did.

Q. Did you vote the regular printed ticket?—A. I think so.

Q. And you think you voted the whole Democratic ticket—that is, all together in one ticket?—A. Yes.

Q. Did you, within two years preceding said election of 1878, November 5, pay a State or county tax?—A. I never paid any tax for myself.

Q. Was any State or county tax paid for you within those two years?—A. No, sir.

Cross-examined:

Q. Did you pay any State or county tax within two years; if so, under what arrangement?—A. No; I didn't pay any tax.

Q. How old are you?—A. I will be 22 on the 5th day of April, 1879.

Q. Did you vote on age at the general election November 5, 1878?—A. I voted on age.

Q. Did you live in Knox Township, Clearfield County, Pennsylvania, for the two months immediately preceding said election?—A. Yes, sir.

Q. Did you live one year immediately before the said election in the State of Pennsylvania?—A. Yes, sir.

Q. Do you not remember that your ticket or full hand, as you call it, was made up of State ticket, judiciary, and county, and sheep-law tickets?—A. I remember of voting against the sheep law.

Q. What do you say as to the balance of the question?—A. I voted State, judiciary, county, and against the sheep law.

Q. Who folded your ticket?—A. My brother, Enos Bloom.

Q. Was it in parts or not when it was folded?—A. It was all together, I think.

Q. Did you open it after he gave it to you?—A. I just read it; he folded it, and I went and handed it in.

Q. How old is your brother, Enos Bloom?—A. He must be thirty-four or five.

Re-examined :

Q. Did you vote the sheep-law ticket with and attached to the balance of your ticket?—A. Yes, sir; I voted them all together.

And further saith not.

CURTIS BLOOM.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

JAMES NAILEN sworn.

Question. Where do you reside?—Answer. Graham Township, Clearfield County, Pennsylvania.

Q. Did you vote in Graham Township at the election November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at that election?—A. Andrew Curtin.

Q. Did you pay any State or county tax within two years preceding said election?—A. I can't answer, because it was in such shape I can't tell what tax it was.

Q. To whom did you pay any tax within those two years?—A. William Hoover.

Q. Do you mean W. W. Hoover, collector of taxes for Graham Township?—A. Yes, sir.

Q. How much money did you pay him, and when?—A. Three dollars. On or about the 15th of November, 1877.

Q. Did Hoover have against you taxes both for 1876 and '77?—A. I understand so.

Q. What different kind of taxes did he have against you?—A. School-tax, and State and county tax.

Q. For the payment of what year's tax was this \$3 paid?—A. 1876 tax.

Q. What did the 1876 tax which he had against you amount to?—A. Three dollars and one cent.

Q. Did you ever pay your taxes or the taxes he had against you for the year 1877?—A. No, sir.

Q. Have you a statement from the collector of those taxes, and will you hand it to the notary to copy?—A. Yes, sir.

(Witness produces statement which reads as follows :

“Mr. JAMES NAILEN :

“SIR: You are indebted to W. W. Hoover, tax-collector for Graham Township, for tax, as follows :

“School, for 1877.....	\$1 83
“ “ 1876.....	1 00
“State and county for 1877.....	2 49
“ “ “ “ 1876.....	2 01
Total	<u>\$7 33</u>

“Collector.

“Return for signature.”

Endorsed on the back in lead-pencil, as follows: “Paid on the within three dollars (\$3⁰⁰/₁₀₀).”

Q. Other than this tax which you paid to W. W. Hoover, did you pay any State or county tax within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Was this \$3 indorsed on this statement the \$3 which you referred as paid to Hoover?—A. Yes, sir.

Q. Against whom were the taxes for 1876 which you paid assessed?—A. Really, I don't know; but was told within this last week by W. W. Hoover, the collector, that they were assessed against Leon Coudriet.

Q. Don't you know that those taxes of 1876 were against Leon Coudriet?—A. Not positively; I couldn't swear to it. If I could swear to another man's words, I suppose I could.

Q. Were those taxes assessed—those taxes of 1876—against you or against Mr. Coudriet?—A. I gave my testimony on that. I didn't know who the tax was assessed to.

Q. How long have you lived in Graham Township?—A. Since September, 1875.

Q. Where did you live before that?—A. In Morris Township.

Cross-examined:

Q. On whose property did you live in Graham Township in 1876?—A. A property I bought by article from Leon Coudriet.

Q. What is the date of your article with Coudriet?—A. March 10, 1876.

Q. Were not the taxes of 1876 assessed after the date of your article with Coudriet?—A. That I don't know.

Q. Were the taxes you paid for 1876 assessed on the property you bought by article from Coudriet?—A. Yes, sir.

Q. Where were you born?—A. In Tioga County, Pennsylvania.

Q. Did you live in Graham Township continuously from September, 1875, to the 5th of November, 1878?—A. Yes, sir.

Re-examined:

Q. When did you move onto this property you purchased from Coudriet by article?—A. About the latter end of March, 1876.

Q. Are you sure it was in March of that year?—A. Yes, sir.

Recross-examined:

Q. Did you pay this \$3 tax believing it to be against you?—A. Yes, sir.

And further saith not.

JAMES NAILEN.

Attest:
[SEAL.]

JOHN W. SCOTT,
Notary Public.

JOHN P. OWEN affirmed.

Question. Where do you reside?—Answer. Knox Township, Clearfield County, Pennsylvania.

Q. Were you one of the clerks at the election of November 5, 1878, in said township?—A. Yes, sir.

(Counsel objects to this witness testifying at this time because no sufficient notice has been given that he would be called.)

Q. Were outsiders permitted to come in and go out of the room in which the election was held both during the day and while the votes were being counted?—A. Yes, sir.

Q. About how many would be in at a time?—A. I couldn't answer that. Sometimes there would be about 25, sometimes 30 or 40 were in.

Q. Was the election held in the school-house at Turkey Hill?—A. Yes, sir.

Q. While the votes were being counted, who took the ballots from the box?—A. Mr. George Robins.

Q. Was or was he not the Democratic inspector?—A. Yes, sir; I believe he was.

Q. Who was the minority inspector and who was judge of the election?—A. Lewis Robins was judge and Thomas H. Lord was the minority inspector.

Q. Were all of the votes counted that Robins, the inspector, took from the ballot-box?—A. All that was read off was.

Q. Were all the ballots read off that were taken from the ballot-box?—A. I couldn't say that they were.

Q. What relation was the Democratic inspector to the judge?—A. The inspector was the father of the judge.

Q. In counting the votes which of the inspectors took the ballots from the box?—A. Mr. George Robins.

Q. Were any ballots taken from the box by him that were not read off and counted, if you know?—A. At one time I saw him take tickets out of the box, and in taking tickets out of the box, and in taking them apart, a ticket or two fell. I told him to take care. He said his eyes were so bad he couldn't see well by candle-light, or something that way.

Q. Did he look at these tickets after taking them out of the box?—A. I couldn't tell you; he had them in his fingers taking them apart.

Q. Where was Lord, the minority inspector, at the time this ticket or tickets were dropped?—A. He was lighting his pipe at the desk.

Q. Was he in a position at that time to see what was going on at the ballot-box?—A. If his mind had been directed he might have known what was going on. If he had known what was going on he might have noticed it.

Q. How many ballots do you think were dropped to the floor?—A. I didn't see any tickets dropped to the floor.

Q. How many did you see drop from Robins's hand and were not counted?—A. I couldn't tell whether they were not counted or not, or whether he picked them up or not; I didn't notice.

Q. Did you call his attention to it?—A. Yes, sir.

Q. Did he then pick up the tickets or look to see if he dropped them?—A. I turned my attention to my tally, and didn't observe what he done.

Q. Was the ballot-box kept guarded during the entire day?—A. I couldn't say that it was.

Q. What was done with it by the election board while at their supper?—A. It was taken to Mr. Robins, where they went to supper.

Q. Was this done through the approval of all the board; if not, who objected to it?—A. No, sir; the minority inspector, Thomas H. Lord, objected to it, and myself.

Q. Was the box sealed or secured in any way before being taken from the election house?—A. No.

Q. How far did Mr. Robins live from the election house?—A. About sixty rods, I suppose.

Q. Where was the ballot-box while you were at supper?—A. Sitting in the room.

Q. Was it in the same room in which you had your supper?—A. No, sir.

Q. Did all of the members of the election board, including the clerks, take their supper at the same time and place?—A. I believe they did; all but one.

Q. Who was that, and where did he take his supper?—A. Thomas H. Lord. He took his supper at the election house.

Q. About how many persons were in the room in which the ballot-box was while you were at supper?—A. Hugar's family; Peter Erhard. There was some others there, but I don't remember who they were.

Q. Was this box left unsecured and away from the election board during the whole time they were at supper?—A. As far as I know, it was left there in the room while we were eating supper.

Q. Might not persons have put tickets into this ballot-box while the board were taking their supper without their knowledge?—A. Well, I suppose they could. The box was sitting in the room.

Q. Might not the box have been taken from the room and the board not known it?—A. I believe it could have been.

Q. About how many persons were in the room with the ballot-box, as near as you can tell?—A. About six or seven, or more than that. There was a good bit of confusion and laughing and talking, but I paid no attention as to how many there was.

Q. What is the politics of Peter Erhard, whom you have named as being in the room with the ballot-box?—A. Democratic, I believe.

Q. What is the politics of the Hugar family that you have named?—A. Francis Hugar is a Democrat, and his wife is too. She is a daughter of Mr. Robins.

Q. Then all the election board left the election-house with the ballot-box except Lord, the minority inspector, and the box was removed against his protest?—A. Lord went with us to Robins's, but I can't say whether he staid with the box or not; I rather think not. It was taken away against his protest.

Q. Don't you know that Lord did not go into Robins's house at all, but returned and took his supper at the election-house?—A. We all started in a crowd with the ballot-box. Mr. Robins took the box into the room and set it down. They said supper was ready and we passed right in and sat down. I didn't think of the ballot-box until I had my supper. They said it wasn't lawful to remove the ballot-box from the school-house. They allowed it didn't make any difference as long as it wasn't disturbed. That was about all that was said.

Q. That conversation occurred, did it, on the way to Robins's?—A. No, sir. It was on the way from Robins's back to the school-house.

Q. When you got to Robins's house did not Mr. Robins's invite Lord, minority inspector, in to supper, and did he not refuse, and go back to the school-house and not go into Robins's house at all?—A. He refused, yes, sir, to go in to supper. He had supper along; he wouldn't pay 25 cents and carry back home what he had in the basket.

Q. Did not Lord go back to the school-house without going into Robins's house at all?—A. I couldn't tell you that.

Q. Where did you first see him after supper?—A. Caught up to him on the road between Robins's house and barn.

Q. Had he not then been back to the school-house and eaten his supper from his basket?—A. I couldn't tell you.

Q. Who took the ballot-box after the votes were counted, and where was it taken to?—A. The minority inspector took it to his own house.

Cross-examined:

(Counsel for contestant, reserving a general objection to all that part of the foregoing testimony of such things as are immaterial and to such other things as might have transpired, but of which there is no evidence, proceeds to cross-examine.)

Q. Was the election held at Turkey Hill school-house on the 5th of November, 1878, for Knox Township, conducted fairly and according to

the best understanding the election officers had of the law?—A. I believe it was—only going to supper. They talked over that part of it when we wanted to go to dinner. The board consulted among themselves and said the law wouldn't allow it.

Q. Do you know of any other intentional violation of the election law other than taking the ballot-box along to supper?—A. No, sir; not intentionally.

Q. Was it before the polls closed that you went to supper?—A. No, sir; it was after.

Q. Do you swear that Mr. Robins, the inspector, dropped any tickets for the purpose of perpetrating a fraud, or do you believe it was accidental?—A. No, sir; I couldn't swear that he dropped them to perpetrate a fraud.

Q. Can you say that the ticket or tickets dropped by him as you describe were not picked up and regularly counted as the law requires?—A. I couldn't swear that they was or was not.

Q. Give, as near as you can recollect, what Lord said when the balance of the board took the ballot-box along to supper.—A. He said it was contrary to law, and it might upset the election.

Q. How many elections have you attended at Turkey Hill school-house?—A. Attended all the elections held there for seventeen years.

Q. Was the election of last November the first one that the school-house doors were not kept closed?—A. The doors were never closed since I attended the elections.

Q. Did the persons who came into and remained in the house during the time of the election, and the count after the election was going on, interfere with the election board, and prevent, in any way, a fair and free election on that day, or a fair count?—A. No, sir.

Q. How far is it to the nearest house from the place where the election was held?—A. Sixty rods, I suppose.

Q. How far to the next nearest?—A. About 80 rods.

Q. How far to the next nearest?—A. About 90 rods.

Q. How many houses are there within half a mile of this school house?—A. About seven.

Q. Are they all private dwelling houses?—A. Yes, sir.

Q. Did you, on opening the ballot-box, when you began to count, find the papers therein disturbed?—A. No, sir; I didn't open it.

Q. If any person had attempted to interfere with the ballot, would not he have been compelled either to take the ballot-box out of the room into which you had put it while you were at supper, or have done so in presence of at least five persons?—A. I couldn't answer that question. The box was not sealed.

Q. Did you catch up to Lord, as you mentioned, while he was going in the direction of the election house?—A. Yes, sir.

Q. About how long were you at the supper table?—A. Less than half an hour; while we eat a good supper.

Q. Are Lewis C. Robins, the judge of that election, and George Robins, his father, reputable citizens of Knox Township?—A. The judge of the election is a man of good character. Some say the old man is a man of bad character.

Q. What do you people say of George Robins, as to his character?—A. They say Mr. Robins has been caught in a trap once, and sinking boards under water until the flood was away, taking ropes and one thing or another, carrying shingles into the laurel, carrying spikes and nails in his overcoat pocket out of stores. He carried corn away, they said, from William A. Reed's shanty, carried away grindstone and

cookstove and sold it. They said he carried it out of the house with fire in it and bread in the oven. I have heard of things since I have been a little boy.

Q. Are these things you mention hearsay, or do you speak from your own knowledge?—A. Hearsay.

Q. Did the number of ballots counted correspond with the amount of votes as taken down while the election was going on?—A. I don't think it did come out altogether right.

Q. Were the ballots numbered as received?—A. Yes, sir; but they were not correct.

Q. What was wrong?—A. There was some numbered twice, the same number.

Q. Was there anything else that you remember of?—A. No, sir, I believe not.

Q. Who numbered the ballots?—A. Mr. George Robins. He received the tickets.

Q. Who put them in the box?—A. The judge of election, Lewis C. Robins.

Q. What did Lord do?—A. Marked the register.

Re-examined:

Q. Then all the tickets were received, and put into the ballot-box by George and Lewis C. Robins, both of whom were Democrats?—A. Yes, sir, I believe so.

Q. You have stated that you could not swear that George Robins dropped the tickets spoken of for the purpose of perpetrating a fraud. Judging from what you saw, what is your opinion on that subject?—A. No, sir; I couldn't state that he dropped them for a fraud. Sometimes I thought he was fumbling them around for the purpose of letting them drop, and sometimes I didn't.

Q. About how many tickets were there in the ballot-box that you saw, that were duplicates, that is where two contained the same number?—A. I think there were two that were marked 131; I couldn't be positive.

Q. Might there not have been a number more thus marked, that were not discovered?—A. Yes, sir, there might have been; I couldn't say that there was or wasn't.

Q. Were there not tickets in that ballot-box that were not numbered at all?—A. I believe there were two tickets that were doubled into one. When we came to count off, there was some talk about it, and we threw one away.

Q. Is or is not the reputation of George Robins for honesty and integrity, in the community where he lives, very bad?—A. It is a little shaky, I guess.

Q. In going from the election house up to Robins's to supper, did all the members of the board walk together, or were they separated any distance?—A. Well, it was dark, and they were all in a crowd together. The constable and several others were along.

And further saith not.

Attest:

[SEAL.]

JOHN P. OWENS.

JOHN W. SCOTT,
Notary Public.

Now, at 7 o'clock p. m., adjourned to meet at 8 o'clock same day.

March 26, 1879, at 8 o'clock p. m., examination resumed.

WILLIAM D. CODER sworn:

Question. Where do you reside?—Answer. Knox Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Knox Township at the election of November 5, 1878?—A. Yes, sir.

Q. How many times did you vote?—A. Once.

Q. If your name appears twice upon the list of voters, is it or not a mistake?—A. It's a mistake if it's there twice.

Q. For whom did you vote for Congress at said election?—A. Yocum.

Q. Did you pay a State or county tax within two years of said election, preceding said election, that was assessed more than two months and paid more than one month prior thereto.—A. Yes, sir.

Q. Where and when were you born?—A. I was born in Huntingdon County, Pennsylvania, in 1840.

Q. Did you reside in Knox Township, Clearfield County, Pennsylvania, for more than one whole year preceding said election November 5, 1878?—A. Yes, sir.

Cross-examined:

(Counsel reserving the right to except to the sufficiency of notice and any other matter, proceeds.)

Q. How many persons by the name of Coder live in Knox Township that vote?—A. Two.

Q. When did you last pay State or county tax?—A. In September, 1878.

Q. To whom?—A. Alford C. White.

Q. How much?—A. Twenty-six cents, I think it was. He gave me no receipt.

Q. When did he give you a receipt?—A. He gave me no receipt at all.

Q. How long before that had you paid any tax?—A. It was on June 22, 1877—State and county.

Q. To whom?—A. Daniel Sloppy.

WM. D. CODER.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

Nine o'clock p. m., March 26, 1879, adjourned to meet at 8 o'clock a. m., March 27, 1879.

March 27, 1878, at 8 o'clock a. m. examination resumed.

FRED. MILLER sworn.

Question. Where do you reside?—Answer. Brady Township, Clearfield County, Pennsylvania.

Q. Did you vote in Brady Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andrew Curtin.

Q. Did you pay a State or county tax within two years preceding said election of November 5, 1878?—A. I couldn't say I paid State tax, but I paid county tax, because the receipt shows it.

Q. To whom did you pay that tax?—A. I paid the tax to John Jemison, constable of Brady Township.

Q. Was the tax you thus paid to John Jemison the only tax you paid within said two years?—A. I think it was. I paid it for 1877.

Q. Don't you know that the money you paid to Jemison was merely for your school and poor tax?—A. I paid him the money and told him to take my tax out of it.

Q. Did you not merely tell him to take your school and poor tax out of it?—A. No, sir; I told him to take my taxes out of it.

Q. Did you say anything to him about taking your State and county tax out of it?—A. No; I didn't mention anything.

Q. Did not Jemison tell you that he credited the money he paid you to your school and poor tax only?—A. No; he didn't. He didn't say anything about that.

Q. Do you swear that you paid Jemison a State or county tax?—A. No; I can't do that. I wouldn't swear that I paid it, or that I didn't pay it.

Q. When did you pay this tax to Jemison that you speak of?—A. I paid it last fall.

Q. Did you pay it in money?—A. Yes, sir.

Q. Did you pay it as much as thirty days before the election?—A. I can't say that.

Q. Don't you know that it was less than thirty days before the election?—A. I can't tell you.

Q. Have you the receipt which you referred to and will you produce it?—A. Yes, sir.

Q. How much was your school tax for 1877?—A. I can't tell you that.

Q. Give us the amount of it as near as you can tell.—A. I can't tell you. I can't guess at it. I gave him a ten-dollar bill and asked him to take my taxes out.

Q. About how much was your poor tax for that year?—A. I think he said 55 cents. I hain't sure, but think that's what it was.

Q. Do you know how much your State and county tax was for that year?—A. No; I don't.

Q. When did you get this receipt from Jemison?—A. The same day I paid him the money.

Q. Did you get it from him before or after the election of November 5, 1878?—A. I think it was before the election.

Q. Can you swear that it was before the election?—A. No; I won't do that, because I am not sure.

Q. Was it on the day of the election?—A. I can't tell you. No, sir; I can't tell you.

Q. Where was Jemison when he gave you this receipt?—A. At When's Luthersburg.

Q. Don't you know that you got this receipt after the election and since you were subpoenaed as a witness here?—A. No, sir; that ain't so.

Q. Do you mean that it isn't so, that it wasn't after the election you got this receipt?—A. No; I mean that I didn't get it after I was subpoenaed here.

Q. Did you not pay this money to Jemison within three days, either before or after the election?—A. I can't tell you that; I can't recollect any more.

Q. Did you pay it on the day of any political meeting in Brady Township?—A. It seems to me there was a kind of gathering there, but I can't say positive what it was.

Q. Don't you know that it was on the same day that a Democratic meeting was held at Du Bois, at which several speakers from Clearfield were present?—A. I can't tell you any more about that.

Q. Don't you think you paid it on that day, which was the day before the election?—A. I can't tell you. I know that when I paid it there was a crowd there that day, but it wasn't election day.

Q. Did you attend a Democratic political meeting on the day before the election?—A. I attended the meeting, but I can't say it was the day before the election. I saw Mr. Krebs there. He was one of the speakers.

Q. Now, was it not on that day you paid these taxes to Jemison?—A. I can't say positive it was; can't do it.

Q. Can you say positively that it was not on that day?—A. No; I cannot.

Q. Did you say anything to Jemison about dating your receipt back so as to entitle you to a vote?—A. No, sir; nothing of the kind; I never asked a man to do that.

Q. Until you got this receipt from Jemison, were you not of the opinion you had no right to vote, and did you not say so?—A. I didn't say anything of the kind; I didn't think so.

Q. Can you not say whether or not you paid this tax on the day of a political meeting?—A. I told you before I can't say it.

Q. Did Jemison write this receipt in your presence?—A. Yes, sir.

Q. Don't you know that you paid this money to Jemison within one month before that election?—A. No, I don't know.

Q. Don't you know that you paid it to him after the time was up for payment of taxes to vote on?—A. I didn't know anything about that.

Q. Whom did you get the money from that you paid Jemison?—A. I got that money from my wife. She got it from home.

Q. Did you make any entry or memorandum of the time when you got the money?—A. No, sir.

Q. Do you know anything about whether or not Jemison dated that receipt back?—A. I can't tell you that, because I can't read it; I don't think he'd do the like of that.

Q. Do you know what date is in that receipt?—A. No, sir, I don't; couldn't read it.

Q. Where and when were you born?—A. In Germany; I think in 1839.

Q. Are you naturalized?—A. Yes, sir.

(Witness produces the papers.)

Q. Have you the papers with you?—A. Yes, sir.

Cross-examined:

Q. Is this the receipt you showed to Mr. Gordon in your examination?—A. Yes, sir.

Counsel for contestant reads the receipt, which is as follows:

“Received Sep. 14th, 1878, from Fred Miller, three and $\frac{81}{100}$ poor, county, and school tax for 1877.

“ $3\frac{81}{100}$.”

“J. JIMESON, Col.”

Q. How long have you lived in Brady Township continuously up to November 5, 1878; for how many years?—A. About nine years, that is right along.

And further saith not.

Attest:

[SEAL.]

FRIEDRICH MÜLLER.

JOHN W. SCOTT,
Notary Public.

JAMES B. NOLDER affirmed.

(Counsel for contestant objects to this witness's testimony being taken, for the reason that contestant nor his counsel have had such notice as the act of Congress provides for, and further, protests against an examination.)

Question. Where do you reside?—Answer. In Brady Township.

Q. How old are you?—A. Going on twenty-four; will be twenty-four in October.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you within two years preceding said election of November 5, 1878, pay a State or county tax?—A. No, sir; I believe not.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Are you not sure you did not pay a State or county tax within those two years?—I am sure I didn't.

(Contestant, by counsel, respectfully declines to cross-examine the witness, and asks the committee who shall hear the cause to strike out the whole testimony of this witness, for the reason assigned against his examination.)

On account of the foregoing objections, counsel for contestee reserve the right to recall this witness at a future time, under the notice given.

Contestant, by counsel, objects and protests that the witness cannot be recalled on any notice heretofore served, as that notice was not served in sufficient time as to entitle contestee to call the witness at all.)

And further saith not.

JAMES B. NOLDER.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

Now, 11 o'clock a. m., adjourned to meet same day, March 27, at 12.45 p. m.

And now, March 27, 1879, at 12.45 p. m., examination resumed.

J. E. ALBERT produced and affirmed.

Question. Where do you reside?—Answer. In Decatur Township, Clearfield County, Pennsylvania.

(Contestant, by counsel, objects to the taking of the testimony of this witness, for the reason that no sufficient notice was served that he would be called as a witness; the notice served being not sufficient and not such as required by act of Congress.)

Q. Where and when were you born?—A. In Decatur Township, Clearfield County, Pennsylvania, in June, 1852.

Q. Are you married or were you ever married?—A. I was married last fall, in September.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately before the election of November 5, 1878, and in Decatur Township for more than two months preceding that election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Did you vote in Decatur Township, Clearfield County, at Novem-

ber election, 1878, and for whom did you vote for Congress?—A. Yes, sir. I voted for Yocum.

Cross-examined:

(Counsel for contestant, expressly reserving all right to except to the foregoing testimony, proceeds to cross-examine.)

Q. To whom did you last pay tax, and what kind of tax was it?—A. Levi Goss. State and county tax.

Q. When was it?—A. 21st day of May, 1878.

Q. Where was it paid?—A. At my residence in Decatur Township.

Q. Was the receipt by which you fix the date written by Goss in your presence?—A. Yes, sir.

Q. When did you get the receipt?—A. Twenty-first of May, 1878.

Q. How much tax did you pay at that time—State and county?—A. Forty-two cents.

Q. For what year was it assessed?—A. For 1877.

Q. When, before that, did you last pay a State or county tax?—A. July 26, 1877.

Q. To whom?—A. Levi Goss.

Q. For what year was it assessed?—A. Eighteen hundred and seventy-six.

Q. How much?—A. Twenty-five cents.

Q. Have you resided anywhere else than in Decatur Township?—A. No, sir.

Q. From whom did you get your ticket?—A. I picked it up myself.

Q. Who did you vote for for governor?—A. Hoyt.

Q. Did the election board require you to make any proof whatever of your right to vote?

(Objected to as not cross-examination.)

A. No, sir.

And further saith not.

J. E. ALBERT.

Attest:

[SEAL.]

JOHN W. SCOTT, N. P.

ISAIAH COPLIN produced and sworn.

(Contestant by counsel makes the same objection and reservation to witness called as was made to preceding witness.)

Question. Where and when were you born?—Answer. Mifflin County, Pennsylvania, in March, 1829.

Q. Did you with your wife and family reside in Decatur Township, Clearfield County, Pennsylvania, for more than one whole year immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding that election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Did you vote in the election district in Decatur Township at the said election, November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I voted for Yocum.

(Contestant, reserving all legal exceptions, proceeds to cross-examine.)

Q. When did you move to Decatur Township?—A. I moved there in the fall of 1866.

Q. Have you resided in Decatur Township all the time since 1866?—A. I did until the third day of January, 1879, when I moved out.

Q. Had you not yourself moved to Centre County the fall preceding January, 1879?—A. No, sir.

Q. When did you pay a State or county tax?—A. I can't just remember the time.

(Refers to receipt; receipt produced, dated February 16, 1878.)

Q. When did you get that receipt, or what purports to be a receipt?—A. February, 1878.

Q. Is not that paper which bears date February 16, 1878, a statement of the amount of your taxes?—A. I took it as a receipt.

Q. Can you not answer whether it is a statement of your taxes, with Goss's name as collector printed on that part of the paper which has the date of the paper?—A. Yes, sir.

Q. When did you get the statement?—A. I got it when I paid the tax.

Q. Where was this tax paid?—A. They were paid at my house in Decatur Township.

Q. Was the statement given you then, at that time?—A. Yes, sir.

Q. Had you not received this statement some time before you paid the tax?—A. I think not this one.

Q. How long before February, 1878, was it that you last paid State and county tax?—A. I can't tell you; can show receipts; I have paid taxes to the best of my knowledge up to 1878.

Q. Did the election board require you to sign any affidavit or make any proof of your right to vote?—A. No; they only asked me for the receipt.

Re-examined:

Q. You stated you had paid tax every year up to 1878; did you not mean up to and including 1878?—A. Yes; I included 1878.

Q. Is there not also under the statement which you have produced, dated February 16, 1878, a receipt in full for the taxes mentioned therein, including State and county taxes mentioned therein, signed by Goss, the collector, in writing?—A. Yes, sir.

Q. Did you pay the taxes at the time and on the date mentioned in that statement?—A. I did.

Q. Did you also pay a State or county tax in the year 1877?—A. Yes, sir.

Recross-examined:

Q. Did you read your ticket before you voted?—A. Yes; I believe I did.

Q. Can you say positively that you read your ticket?—A. Yes, sir. And further saith not.

ISAIAH COPLIN.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

J. W. WAPLE sworn.

(Contestant, by counsel, objects to the taking of the testimony of the witness called, for the reason that no such notice has been given as is required by the act of Congress, no opportunity having been given to communicate with contestant and receive any reply or instructions as to the testimony, reserving the right to move the committee who shall hear the cause to strike out the testimony, for the reason assigned against its being taken.)

Question. Had you within two years preceding the general election of

November 5, 1878, paid a State or county tax?—Answer. Yes; I paid them within that time.

Q. When, and to whom?—A. I think I paid them in April, 1877, between the 12th and 17th, 1877, to Jacob Dimeling.

Cross-examined:

Q. Did you reside in Boggs Township, Clearfield County, Pennsylvania, more than two months immediately preceding the 5th of November, 1878?

(Objected to as not cross-examination.)

A. Yes, sir.

Q. Did you live one year in the State immediately preceding the election?—A. Yes, sir; I was never out of the State.

Q. Were you born in the United States?—A. Yes, sir.

Re-examined:

Q. Do I understand you to swear that you were in Boggs Township for the two months immediately preceding November 5, 1878?—A. I was; I moved into Boggs Township on the 19th of August, 1878.

And further saith not.

JOHN W. WAPLE.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

Adjourned at 4.30 p. m. March 27, 1879, to meet at 8.30 a. m. March 28, 1879.

8.30 a. m., March 28, 1879, examination resumed.

JAMES B. NOLDER affirmed.

(This witness is now recalled by contestee in order to relieve the taking of his testimony from any objection on account of the want of sufficient notice, he having been kept for that purpose, and notice that he would be recalled having been given, in that counsel for contestee noted upon the record, when he was called before, that he reserved the right to recall this witness at a future time, under the notice already given.

Contestant, by counsel, respectfully protests against the recall and re-examination of the witness, for the reasons assigned against his former examination.)

Question. Where do you reside?—Answer. In Brady Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. Twenty-four in October.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding that election of November 5, 1878, paid any State or county tax?—A. No, sir.

Q. For whom did you vote for Congress at that election?—A. Curtin. I mean Andrew G. Curtin.

Cross-examined:

(Contestant, by counsel, respectfully declines to cross-examine this witness for the reason assigned against his examination, and will at the proper time ask that the testimony taken be stricken out.)

J. B. NOLDER.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

URIAH BAMBARGER sworn.

Question. Where do you reside, and what is your age?—Answer. In Boggs Township, Clearfield County, Pennsylvania, and I think I will be 30 the 8th day of April next; was born in 1849.

Q. Did you vote in the election district of Boggs Township at the general election of November 5, 1878?—A. Yes, sir.

Q. When did you last pay any State or county tax?—A. I think in 1875.

Q. Had you within two years preceding the general election of November 5, 1878, paid any State or county tax?—A. No, sir.

Q. For whom did you vote for Congress at the general election November 5, 1878?—A. Andrew G. Curtin.

Cross-examined:

Q. Did you read and carefully examine your ticket before voting?—A. No, sir; I didn't.

Q. What part, if any of it, did you read?—A. I don't recollect of reading any of it; there was a man that I was well acquainted with who gave me the ticket.

Q. Did you see Andrew G. Curtin's name named on that ticket?—A. I don't recollect as I did; I thought it was right and I put it in.

Q. Is it because you got your ticket from a Democrat that you suppose it was a Curtin ticket?—A. Yes.

Q. Can you swear in any other way or from any other knowledge you have, except from the person from whom you got your ticket, that you voted for Curtin?—A. No, sir.

Q. Do you remember whether or not there were less votes cast for Curtin in Boggs Township than for Dill, Democratic candidate for governor?

(Question objected to by counsel for contestee, because incompetent in that it is not the best evidence and not cross-examination.)

A. No, I don't.

Q. Do not the returns show, and don't you know that a number of Democrats in that Township voted the Greenback ticket?

(Objected to for same reason as to last question.)

A. I don't know anything about the returns. I don't know as I can say that a number of Democrats voted the Greenback ticket or not.

Re-examined:

Q. Who gave you that ticket that you voted November 5, 1878?—A. I think Jacob Dimeling gave me the ticket.

Q. Was Jacob Dimeling a Democrat, or a Republican, or a Greenbacker?—A. He was a Democrat.

Q. Was he favorable or unfavorable to the Greenback party?—A. He was unfavorable to the Greenback party.

Q. Did he say anything to you, or you say anything to him, when you got the ticket you voted, as to the kind of ticket; and, if so, what was said?

(Objected to as incompetent and immaterial.)

A. There was something said, but I don't just recollect what it was any more. I think he said that ticket was all right.

Q. Had he given you your tickets at preceding elections?—A. Yes he had given me tickets before.

Q. Has he not usually given you your tickets at other elections?—A. Yes, sir.

Q. What ticket did you want to vote on November 5, 1878—Demo-

cratic, or Republican, or Greenback?—A. Democratic ticket; I always voted that.

Q. From what you know of Jacob Dimeling and his politics, do you think there was any danger of his giving you a Yocum ticket?

(Objected to as immaterial.)

A. No, sir; I don't think there was.

Q. Are you not pretty well satisfied you voted for Curtin for Congress at that election?—A. Yes, sir.

Cross-examined:

Q. Can you, without having read your ticket, swear that you voted for Congress at all?—A. I put a ticket in, anyhow. Of course, I didn't read the ticket; that's what it was intended for. No; I don't believe I can without having read it.

Q. Can you swear that Dimeling voted for Curtin for Congress?—A. No, sir; I can't. Didn't see him vote.

Re-examined:

Q. Have you any doubt in your own mind as to whether you voted for Curtin for Congress?—A. No, sir; I have no doubt. I had confidence in Dimeling that he gave me the right ticket.

Q. Who did Jacob Dimeling advocate or favor for Congress, Curtin or Yocum?

(Objected to because immaterial and as furnishing no evidence whatever of how the witness voted, and as incompetent.)

A. About all I know about that, I heard him and Johnny Chuse have an argument at the election, and Johnny is a Greenbacker. Dimeling was talking up the Democratic side, near as I can tell.

URIAH BAMBARGER.

Attest:

[SEAL.] •

JOHN W. SCOTT,

Notary Public.

P. B. MILLER affirmed.

Question. Where do you reside, and what is your age?—Answer. I reside in Boggs Township; am fifty-three years old.

Q. Did you vote in the election district of Boggs Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding that election paid any State or county tax?—A. That's a question I can't answer positively. I have paid tax in that time. As regards that, there is tax against me that I haven't paid. Mr. Dimeling was treasurer of Boggs Township. He presented a bill of tax against me. I didn't ask him for what year. I supposed it wasn't necessary. I paid all the amount with the exception of a few cents. Don't remember what it was.

Q. When was that, near as you can tell?—A. I can't tell, positively, what time, whether it was in the spring, the winter, or in the fall.

Q. What year did you pay that tax in?—A. I wouldn't be positive whether it was last spring a year or last fall a year ago.

Q. Was it in the year 1876, 1877, or 1878?—A. I think it was in 1877; I wouldn't be positive.

Q. Do you know what kind of tax it was?—A. He told me it was State and county and other taxes, and I paid him seven dollars and something; paid him some tax since.

Q. For whom did you vote for Congress at the election of November 5, 1878?—A. For Andrew G. Curtin.

No cross-examination.

P. B. MILLER.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

Now, at 10.30 a. m. March 28, 1879, adjourned to meet at 1 o'clock p. m. same day.

And now, at 1 o'clock p. m., March 28, 1878, examination resumed.

CHRIST SHOUTZ sworn.

Question. Where do you reside?—Answer. Decatur Township.

Q. What is your age?—A. Thirty-seven years.

Q. Where were you born?—A. Huntingdon County, Pennsylvania.

Q. Are you a married man?—A. I am.

Q. Did you and your family reside for one whole year or more immediately preceding the election of November 5, 1878, continuously in Decatur Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Had you within two years preceding that election paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. I had.

Q. When and to whom, and will you produce the receipts?—A. March 27, 1877, to Levi Goss, collector for Decatur Township, and July 4, 1878, to same collector. (Receipts produced according.)

Q. Did you pay each of these taxes on the days called for in these receipts?—A. I did.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania; and, if so, for whom did you vote for Congress, at the general election of November 5, 1878?—A. I did vote in that election district at that election, and voted for Yocum for Congress.

Cross-examined:

Q. Was your name upon the registry list of voters for Decatur Township for the year 1878?—A. I don't know. I didn't look.

Q. Was your vote objected to for the reason that your name was not upon such registry list?—A. It was not objected to.

Q. Were you required by the election-board of said district to make any proof of your qualifications as a voter?—A. I was not.

Re-examined:

Q. How long had you resided in that district?—A. Since 1874.

Q. Were you well known to the election-board?—A. Yes, sir; I was.

Q. Did you produce your tax receipt when you voted?—A. I did.

And further saith not.

CHRIST SHOUTZ.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

HENRY CUSHARD sworn.

Question. Where do you reside, and what is your age?—Answer. I reside in Decatur Township, and I will be forty years of age on the 22d day of May next.

Q. Where were you born?—A. In Blair County, or Huntingdon, it was then.

Q. How long have you resided in Decatur Township, this county?—
I have been there about five years.

Q. Are you married?—A. Yes, sir.

Q. Did you and your family reside continuously for the one whole year or more immediately preceding the election of November 5, 1878, in Decatur Township, Clearfield County, Pennsylvania?—A. Yes, sir; I did.

Q. Had you within two years preceding that election paid a State or county tax which had been assessed at least two months, and was paid at least one month preceding said election; and will you produce your receipts?—A. Yes, sir; I did. (Witness produces receipt, dated August 17, 1878, from Levi Goss, collector.)

Q. Did you pay the tax called for in that receipt on the day the receipt is dated or not?—A. Yes, sir; I did.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for Congress at said election?—A. For Seth H. Yocum.

Cross-examined:

Q. Was your name upon the registry-list of voters for Decatur Township for the year 1878?

(Objected to as not cross-examination.)

A. I couldn't say; it should have been; the register was at my house; I mean the assessor.

Q. Was he there for the purpose of assessing you?—A. Yes, sir.

Q. And when?—A. Either in February or March, 1878.

HENRY CUSHARD.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

JOHN ALEXANDER sworn.

Question. Where do you reside, and what is your age?—Answer. In Decatur Township, and my age is 30 years past.

Q. Where were you born?—A. In Fredericksburg, Virginia.

Q. Are you married?—A. No, sir.

Q. Did you reside in Decatur Township, Clearfield County, Pennsylvania, the one whole year or more immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax, which was assessed at least two months, and paid at least one month before that election?—A. Yes, sir. (Witness produces a receipt from Levi Goss, collector, dated April 17, 1878.)

Q. Did you pay that tax on the day that receipt is dated?—A. Yes, sir.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Did you vote for Seth H. Yocum or Andrew G. Curtin for Congress—which one of the two?—A. I voted for Yocum for Congress at that election.

Cross-examined:

Q. When were you born?—A. About 1849.

Q. Did you read your ticket carefully before voting on the 5th of November, 1878?—A. Yes, sir.

JOHN ALEXANDER.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

THOMAS P. SHANNON produced and sworn.

Question. Where do you reside, and what is your age?—Answer. I reside in Decatur Township, and my age is 44 years.

Q. Where were you born?—A. In Ireland.

Q. At what age did you come to the United States, as near as you can tell?—A. Something over ten years.

Q. Did your father come with you; and, if not, how long before or after did he come?—A. He came two or three years before me.

Q. Was your father ever naturalized?

(Objected to because it is not competent to establish naturalization of witness's father by parol proof, the best evidence being the final certificate of his father's naturalization, or a certified copy of record of the court in which he was naturalized, if the certificate be lost or destroyed.)

A. Yes, sir, he was; in Huntingdon, Pa.

Q. About how old were you when your father was naturalized?—A. Between 17 and 18, sir, near as I can say.

Q. Had your father his final and complete papers of naturalization before you were 21 years of age?—A. Yes, sir.

Q. Did you ever see his naturalization certificate?—A. Yes, sir; lots of times.

Q. What took place when you voted on age—between the ages of 21 and 22?—A. They asked me at the board whether I was Shannon's son, and asked him if I was his boy.

Q. Were the papers—naturalization certificate—then produced by him or not?—A. Yes, sir; they were, and examined by the board, and I voted on them.

Q. Have you or not voted by virtue of that naturalization certificate ever since?—A. Yes, sir; all but once, in the Army. I voted then on the right of a soldier.

Q. Are you married?—A. Yes, sir.

Q. Did you and your family reside continuously for the one whole year or more immediately preceding the election of November 5, 1878, in Decatur Township, Clearfield County, Pennsylvania?—A. Yes; for ten years.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax which had been assessed at least two months and was paid at least one month before that election?—A. Yes, sir.

Q. When, and to whom?—A. In April, 1878, and to Levi Goss.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. I did, sir.

Q. For whom did you vote for Congress at said election?—A. For Yocum.

Cross-examined:

Q. Where did your father declare his intentions to become a citizen of the United States?—A. In Huntingdon Town, I believe.

Q. Did you ever see the certificate he received when he declared his intentions?—A. I saw his first papers.

Q. In what year did he make such declarations?—A. I don't know what year it was.

Q. In what year was he finally naturalized?—A. I can't tell the year. I was between 17 and 18 when he got his papers out, and now I am going on 45.

Q. In what year were you 21 years of age?—A. I can't tell you that either; can't tell you when I was born.

Q. If you don't know when you were born, how do you know you were between 17 and 18 years of age when your father was naturalized?—A. I know it from a dispute at the polls.

Q. Was not Levi Goss the collector of school and poor tax for Decatur Township for the years 1877 and 1878?—A. I don't know; but I know that I paid them to him.

Q. Did you get a receipt for the payment of tax made in April, 1878?—A. He sent the receipt by mail to Osceola, but I didn't get it.

Q. How do you know that he applied any portion of the money you sent him to the payment of your State or county tax?—A. I know that when my vote was challenged at the polls, that he got up and said that he had received my taxes—that my taxes were paid.

Q. Did you carefully read your ticket before voting it on the 5th of November last?—A. I did, sir.

Q. What was the name upon your ticket for Congress?—A. Yocum.

Q. Who did you vote for for State senator?—A. I don't know that I voted for any one; but I voted for Yocum.

Q. Were there any other names?—A. Yes, there were other names, but don't remember them.

Re-examined:

Q. Did you vote for Dill, Hoyt, or Mason for governor?—A. I believe it was Hoyt.

Recross-examination:

Q. Was Hoyt the Labor candidate for governor?—A. That I don't know.

THOMAS P. SHANON.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

FENTON PHELAN sworn.

Question. Where do you reside and, what is your age?—Answer. In Bogg's Township, and am 52 years old.

Q. When did you last pay a State or county tax?—A. November 5th, 1878.

(Witness produces receipt from Isaac Beish, constable, dated November 5, 1878, for State and county tax for the years 1876 and 1877. Also receipt from Isaac Beish, constable, dated February 19, 1874, for State, county, school, building, poor, and cash road tax for the year 1873. Also receipt from Isaac Beish, dated June 11, 1875, for State, county, and poor tax for the year 1874.)

Q. When did you last pay Jacob Dimeling any tax?—A. In the year 1876—don't remember the month.

Q. What month, as near as you can recollect?—A. I think it was in August.

Q. What kind of tax was that?—A. School and poor, I think.

Q. What other tax, if any, have you paid since that you paid Dimeling, outside of any of these receipts you have produced?—A. David Mease was the next one I paid.

Q. When did you pay him, as near as you can recollect?—A. Some-time after Dimeling, and not very long.

Q. Was it as much as a month after Dimeling, according to your best recollection?—A. I couldn't say, but it was not very long.

Q. What kind of tax did you pay Mease?—A. To the best of my knowledge, it was school and poor tax.

Q. Since that tax you paid Mease, did you pay any tax outside of what is called for by any of these receipts you have produced?—A. No, sir.

Q. Did you vote in the election district of Boggs Township at the general election of November 5, 1878?—A. Yes, sir.

Q. Was it in Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Who gave you the ticket you voted at that election?—A. Jacob Dimeling.

Q. What was Jacob Dimeling's politics?—A. A Democrat as long as I knew him.

Q. How long have you known him?—A. To best of my knowledge, ten years.

Q. Have you been well acquainted with him during that time or not?—A. I have known him as a neighbor for that length of time.

Q. How near have you lived to him during that time?—A. About a half a mile, more or less.

Q. Who has generally given you your tickets when you have voted during that time?—A. Jacob Dimeling. Don't know of any other man that ever gave me a ticket.

Q. Did you vote for Seth H. Yocum or for Andrew G. Curtin for Congress on November 5, 1878; which one of the two, if either?

(Objected to as improper in form. The question should be, "For whom did you vote for Congress"?)

Question withdrawn, and following question asked: "For whom did you vote for Congress at the election of November 5, 1878"?

A. That's more than I know. I'm almost ashamed of it; but, of course, the intention was to vote for Curtin.

Q. What was your politics, and what has been your politics during the last ten years, and at the times Jacob Dimeling has furnished you your tickets?

(Objected to, because you "can't most always tell" from what a man's politics was how he voted or what tickets he gave out to his neighbors on the 5th of November, 1878.)

A. Democrat.

Q. Have you not always been a Democrat?—A. No, not always; have been a Democrat for about ten years.

Q. Which one of the candidates for Congress, Curtin or Yocum, was Jacob Dimeling favorable to, if he was favorable to either?

(Objected to because the question asks the witness to give his opinion as to the political intentions of another, and is immaterial.)

A. That's more than I can tell. Of course I think he would go for Curtin.

Q. Did you think there was any danger of getting a Yocum ticket from him?

(Objected to for the reason that it is a matter of no consequence what he might have thought upon that subject.)

A. If I thought so, I wouldn't have took it.

Cross-examined:

Q. Do you own real estate in Boggs Township, Clearfield County?—

A. I own and a half an acre of land.

Q. Have you not paid up all your State and county tax from 1873 and including the year 1877?—A. I have, to the best of my knowledge.

Q. Can you tell whether or not you have a receipt for your State and county tax assessed for the year 1875?—A. I can't tell that.

Q. Can you tell to whom you paid your State and county tax, assessed for 1875?—A. No, sir.

Q. Do you remember whether or not you paid any tax on the day of the Presidential election of 1876?—A. I can't say any more than what receipts I have to show for 1876 and 1877.

Q. Are you not satisfied in your own mind that you have paid your State and county tax assessed for that year 1875?—A. I am.

Q. Did you look for the receipt for the payment of that year's taxes?—A. I did, last night, till I was tired, and couldn't find it.

FENTON PHELAN.

Attest:

[SEAL.]

JOHN W. SCOTT, *Notary Public*.

JOHN W. HOWE sworn.

Question. What is your position?—Answer. Commissioners' clerk.

Q. For what county?—A. Clearfield.

Q. Have you before you the registry list of voters for the election districts of Ferguson and Greenwood Townships as they are filed in the commissioners' office for the year 1878?—A. Yes, sir.

Q. Have you made copies of these registry lists?—A. Yes, sir.

Q. Have those copies been carefully and thoroughly compared by you with their respective originals?—A. Yes, sir.

Q. Are these copies true, exact, and correct copies of the original registry list of voters for 1878 for the election districts of Ferguson and Greenwood as you have found the originals on file in the commissioner's office?—A. Yes, sir.

Cross-examined:

Q. Did you yourself make and compare the papers which you say you have before you?—A. I made the copies and compared them with the originals.

Q. How did you make the comparisons?—A. I copied a page at a time, and compared the originals as I went along.

Q. How are they marked so as to distinguish between the June and the September registers?—A. September registry is entered in the back of the book, and headed "September registry."

(Counsel for contestee now offers in evidence the sworn copies of the registry lists for Ferguson and Greenwood election districts of Clearfield County, Pennsylvania, for the year 1878, which have been identified by the witness, and are marked as follows: Copy of registry list of Ferguson Township, Exhibit A; copy of registry list of Greenwood Township, Exhibit B.

JOHN W. HOWE.

Attest:

[SEAL.]

JOHN W. SCOTT, *Notary Public*.

Now, at 4.50 p. m., March 28, 1879, adjourned to meet at 11 a. m., March 29, 1879.

And now, at 11 o'clock a. m., March 29, 1879, examination resumed.

A. M. BLOOM sworn.

Question. What is your position?—Answer. Deputy prothonotary of Clearfield County.

Q. Are the returns of the several election districts composed of the townships and boroughs of Clearfield County for the general election of November 5, 1878, filed in the prothonotary's office of Clearfield County?—A. They are.

Q. Have you before you such returns as full as they are of file in said office for the election districts of Clearfield Borough, Newbury Borough, Osceola Borough, Wallacetown Borough and Beccaria, Bell, Bloom, Boggs, Brady, Chest, Ferguson, Greenwood, Jordan, Knox, Lawrence, Penn, and Pike Townships for the general election of November 5, 1878?—A. I have.

Q. Who is the prothonotary of Clearfield County?—A. Eli Bloom, my father.

Q. Have you, under his direction and supervision, made copies of the lists of voters, oaths of officers of election, and affidavits of non-registered voters for each of the said election districts, from the original returns on file and now before you?—A. I have, sir.

Q. If there are any instances in which you have not, since you were last sworn, made copies of any of the original papers named for the said districts, state why they were not made.—A. There are instances where I did not make copies, because they were made before, or where there were none on file.

Q. Will you state for which one of the said districts you had already made copies of the oaths of officers, as filed, and which had already been offered in evidence on part of contestee, and also the districts, if any, in which you have found that no oaths of officers are returned or filed among the districts named?—A. For Newbury and Wallacetown Boroughs, Bell, Bloom, Boggs, Chest, and Knox Townships, and there are no oaths of officers on file in the said office for Chest Township.

Q. Will you state in which one of the districts named you had already made copies of the lists of voters which had been offered in evidence on the part of the contestant, if any?—A. Osceola Borough, Brady and Pike Townships.

Q. Will you state in which one of the districts named, if any, you find no affidavits returned or filed of non-registered voters?—A. Clearfield, Newbury, Osceola, Wallacetown Boroughs, and Bell, Bloom, Boggs, Chest, Ferguson, Jordan, Lawrence, Penn, and Pike Townships.

Q. Are the copies which you say you made from the originals for the districts named, now before you, and do they include the lists of voters, oaths of officers of election, and affidavits for non-registered voters for each of the districts named, with the exceptions which you have stated?—A. Yes, sir; they do.

Q. Is there a certificate attached to the copies for each of the districts named, signed by your father, the prothonotary?—A. Yes, sir.

Q. Did you compare these copies yourself, and if not, who was employed to make the comparison of these copies with the originals or to assist you in doing so?—A. I did not compare them. Mr. Frank A. Fleming was employed to compare them.

Q. Did he compare them under your direction and supervision, and under the direction and supervision of your father, the prothonotary?—A. I got him to compare them for me.

Q. Was the comparison, as well as the making of these copies, under the general supervision of your father, the prothonotary?

(Objected to as leading in form. The question should be, How was the comparison made, and how were these papers made?)

A. It was done by his knowledge and consent, and by his direction.

Q. Do you believe these copies to be true, faithful, and exact copies of the originals or not?—A. I do.

Cross-examined :

Q. Did you make the copies yourself?—A. I did.

Q. Did you compare them with the originals afterwards?—A. No, sir.

Q. Was your father present and directing and taking part in any comparisons made of them with the originals?—A. No, sir; he was not that I know of.

Q. Did you take part in comparing them with the originals?—A. No, sir; only when I was making them.

Q. Have they been in your possession continually since made by you and certified?—A. They have been in the office, I believe, until last night.

Q. Were these copies in your possession continuously from the time each one was finished until last night?—A. I think they were, or were in the office.

Q. When, this morning, did they again come to your possession?—A. About an hour and a half ago.

Q. When were the certificates attached and signed?—A. Just as they were made out and finished.

Q. Were they attached and signed before any comparisons were made?—A. Yes, sir; before there was any comparison made by Mr. Fleming.

Re examined :

Q. Did you compare these copies with the originals while making them?—A. Yes, sir.

Q. Was your comparison while making them and before they were certified and independent of any comparison made by Mr. Fleming, sufficient to satisfy you in your own mind that these copies are correct?—A. It was.

Q. Will you look at the original of Brady election district before you, and also Beccaria, Greenwood, and Knox Townships election before you, and say how many affidavits of non-registered voters have been returned and filed from each of said districts, with the number of affidavits of each form for said districts?—A. In Beccaria district, there are two double affidavits—forms Nos. 1 and 2; there are six single affidavits, form No. 4. In Brady Township there are 22 double affidavits, forms Nos. 1 and 2; 3 single affidavits, form No. 3; 19 single affidavits, form No. 4. In Greenwood district there are 3 single affidavits, form No. 4, and 2 double affidavits, forms Nos. 1 and 2. In Knox Township there are 4 single affidavits, of which 2 are form No. 1, and 2 are form No. 4.

Recross-examined :

Q. Did you make any other comparison of these copies with the originals except such as you necessarily made or would make in endeavoring to make a copy of any other papers?—A. I had the originals before me, and that is all the comparison I made.

Q. In these several districts in which you made copies of papers, are there not in each of them papers on file of which you have not made copies?—A. Yes, sir.

Q. Then these copies are not full copies, nor taken with those made before in these districts—exemplifications of all the papers on file in those districts?—A. No, sir.

Re-examined :

Q. Are there any lists of voters, oaths of officers of election, or affidavits of non-registered voters in the original returns or on file from any of the districts named, or any papers of like character of which you

have not made a copy and which are not already in evidence or about to be offered in evidence?—A. No, sir; there are not.

Q. Had any one outside of your office custody or possession of these copies which you have identified that you know of, except Mr. Fleming?—A. No one, unless it was Mr. Murray. I believe he had.

Adjourned at 12.30 p. m., March 29, 1879, to meet at 1.30 p. m. same day.

And now, at 1.30 p. m., March 29, 1879, examination resumed.

Q. Who returned these copies to you this morning?—A. I don't remember.

Q. Did Mr. Murray call your attention to any corrections to be made in these copies?—A. It was Mr. Fleming who did this, and I remember now that it was he who returned these copies this morning.

Q. State what that correction was.—A. It was where I had erased and interlined. He asked that my father's initials be placed opposite each line erased or interlined.

Q. Do you know who called Mr. Fleming's attention to this?—A. No, sir; I do not. I believe he said that Mr. Murray had.

No cross examination.

A. M. BLOOM.

Attest:

[SEAL.]

J. W. SCOTT,

Notary Public.

W. H. STRICKLAND produced and affirmed.

Question. Where do you reside and what is your age?—Answer. In Decatur Township, and aged 34.

Q. Where were you born?—A. In York County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Had you and your family resided for the one whole year or more, continuously, immediately preceding the general election of November 5, 1878, in Decatur Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Had you within two years preceding that election of November 5, 1878, paid a State or county tax which was assessed at least two months and was paid at least one month preceding that election?—A. Yes, sir; I paid it, as near as I can recollect, about the 12th day of June, 1878, to Isaac Biesh, collector Boggs Township. He gave me a receipt, and I lost or mislaid it. I have resided in Pennsylvania all my lifetime, and in Decatur Township since October, 1877.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at that election?—A. Seth H. Yocum.

Q. Did you read your ticket?—A. Yes, sir.

Cross-examined:

Q. How do you fix the date when you last paid your State or county tax?—A. Isaac Biesh had business up there to arrest persons at the camp, and I thought it was time to pay my taxes without him coming in there again. I fix that time by the pay-roll.

W. H. STRICKLAND.

Attest:

[SEAL.]

JOHN W. SCOTT,

Notary Public.

OSCAR GRAHAM sworn.

Question. Where do you reside and what is your age?—Answer. Decatur Township, and I was born on the 1st day of November, 1857.

Q. Where were you born?—A. In Bradford Township, Clearfield County, Pennsylvania.

Q. Had you resided continuously for the one whole year or more immediately preceding the election of November 5, 1878, in Decatur Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878, and if so, for whom did you vote for Congress at that election?—A. Yes, sir; and I voted for Seth H. Yocum for Congress.

Q. Did you read your ticket?—A. Yes, sir.

Q. Did you or did you not vote on age at that election?—A. Yes, sir, I did vote on age.

Q. Did the board require you to swear to your age or not?—A. Yes, sir.

Q. Did they require you to sign any papers?—A. No, sir.

Cross-examined:

Q. How do you know you were 21 years old on the 1st day of November, 1878?—A. I know it by the best of my knowledge. My father said so.

Q. How long before this time had your father told you?—A. A good while.

Q. Was you there on the 1st day of November, 1857, about the time you was born, or do you remember anything about it?—A. You wouldn't suppose me to.

Q. How do you know you was born on the 1st of November, 1857?—A. My parents told me so.

OSCAR GRAHAM.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

LAFAYETTE GRAHAM affirmed.

Question. Where do you reside and what is your age?—Answer. In Decatur Township; I believe that I am aged about 50 years.

Q. Where were you born?—A. In New York State.

Q. Are you married?—A. Yes, sir.

Q. Did you and your family reside in Decatur Township continuously for the one whole year or more immediately preceding the election of November 5, 1878?—A. I lived there for three years.

Q. Had you within two years immediately preceding that election paid a State or county tax which was assessed at least two months and paid at least one month before that election?—A. I think I did—paid that kind of tax to Levi Goss in October, 1877; can't recollect the day of the month.

Q. Have you a receipt?—A. I had a receipt, but couldn't find it.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878; and if so, for whom did you vote for Congress at that election?—A. Yes, sir; I voted for Seth H. Yocum.

Q. Did you read your ticket?—A. Yes, sir.

Q. Were you registered?—A. I can't tell.

Cross-examined:

Q. How much money did you pay Goss for taxes at the time you say

you last paid him State and county taxes?—A. I can't tell you exactly, but I suppose about \$1.60 or \$1.70, as near as I can tell.

Q. What other taxes did you pay Goss at the same time?—A. School tax, poor tax, road tax; believe that is all.

Q. Did you receive from Goss a receipt for these other taxes?—A. No, sir; didn't pay the other taxes to him.

Q. What do you mean, then, when you say you paid them at the same time?—A. I said about the same time.

Q. Who were those other taxes paid to?—A. They were paid to Reams; I don't recollect whether my school tax was paid to Reams or not.

Q. Did you pay Reams at different times and take different receipts?—A. I am not certain whether I paid to Reams or to Goss; I took different receipts.

Q. On what property did you pay or were you assessed with State and county tax?—A. On cattle, I think two cows.

Q. Was there anything else assessed with State and county taxes except two cows?—A. I think not.

Q. Do you swear that you paid over a dollar of State and county tax in October, 1877, on those two cows?—A. I told you before I didn't know how much tax I paid.

Q. Were these cows Jerseys or Alderneys, or only common cattle?—A. They were common cattle.

Q. Do you know how much they were valued by the assessor?—A. I suppose—I can't tell you.

Q. Can you tell whether they were over four years old?—A. I think one was over four years old; the other, I guess, wasn't.

Q. Don't you know that cows under four years of age are not assessed?—A. I don't know anything about that; wouldn't say they were under or over four years.

And further saith not.

L. GRAHAM.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

BENJAMIN F. KEPHART sworn.

Question. Did you vote in the election district of Decatur Township; and, if so, for whom did you vote for Congress at that election?—Answer. I did; and I voted for Andrew G. Curtin.

Q. When had you last paid a State or county tax before that election?—A. In the spring of 1877, or the latter part of that winter; in February or thereabouts.

Q. Had you paid it in work or in money?—A. It was in work I paid it. If I had collected it, it would have been paid in money.

Q. When did you do the first of the work?—A. First of the work I commenced in harvest, 1876, and the last of it was in the spring of 1877, to Jacob Dimeling, collector.

Cross-examined:

Q. Did Jacob Dimeling offer in the spring of '77 to mark your taxes paid?—A. Yes, sir; he did.

Q. Were you born in Clearfield County, Pennsylvania, and reside in said township all your lifetime?—A. Yes, sir.

B. F. KEPHART.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

LEVI GOSS produced and sworn.

Question. Do you know Lafayette Graham, a witness called to-day?—

Answer. Yes, sir.

Q. Did you, as collector of taxes, State and county, for Decatur Township, receive from him any State or county taxes within two years preceding the election of November 5, 1878; and if so, at what time?—

A. Yes, sir, I did; in the fall of 1877; in October.

Q. Do you know Charles Baker, of Decatur Township, and John Kellar, of Decatur Township?—A. Yes, sir.

Q. When were their taxes paid to you with reference to the election of November 5, 1878?—A. On that election-day.

Q. Was that the only tax you had received from them, or either of them, within two years preceding that date?—A. It was.

Q. How did John Kellar's name appear on your duplicate; that is, how was it written, and upon all the tax-books you had seen?—A. His name was written "Kelley" on the 1878 duplicate, and in the other duplicate, for the year 1877, it was "Kelly."

Q. How is he generally known in Decatur Township; that is, by what name?—A. John Kelley is what I always heard him called. I never knew that he claimed his name not to be John Kelley until the time I subpoenaed him as a witness to Houtzdale, when he said, "My name is not John Kelley; it is John Kellar." I received a postal card from Mr. P. B. Zentmyre some time before the election, and he mentioned this man's name upon it as John Kelley.

Q. What did that postal card relate to, and when, with reference to the election, did you receive it?—A. The postal card read in this way: "Will you please send me receipts for Charles Baker, John Kelley, George Jones," and some others, from four to six in all, "and I will get their taxes." I received this card over a month before the election. I was agreed to this arrangement, as I wanted the taxes, and accordingly forwarded the receipts next day.

Q. Was P. B. Zentmyre the employer of these men?—A. He was the superintendent of the mine where they were employed.

Q. Do you know a man by the name of J. M. Kephart, in Decatur Township; and if so, by what name is he generally known in that township?—A. I don't know a man by the name of J. M. Kephart, but I do know a man by the name of Milton Kephart, which I believe is his right name.

Q. Do you know what his politics is?

(Objected to as hearsay.)

A. No, I don't.

Q. Do you know Benjamin Kephart, of Decatur Township, a witness called to-day?—A. Yes, sir.

Q. Did you subpoena him?—A. Yes, sir.

Q. What, if anything, did he say to you in reference to the payment of his tax or the time when he had paid it?

(Objected to as immaterial what Benjamin Kephart said, when he was not under oath.)

A. When I subpoenaed him, he said I wonder what they want with me. I said, did you pay any tax before you moved over here from Boggs Township? He said, yes, I paid Jake Dimeling some, the collector of Boggs Township, the summer before I moved over. I worked for him, and the last work I did, that was to square up the tax. My boy cut buckwheat for him in September of that year.

Q. What year did he mean?—A. 1876.

Q. Was the summer of 1876 the summer before he moved over from Boggs to Decatur Township?—A. Yes, sir.

Q. Who has had the collection of State and county taxes in Decatur Township, and for what years?—A. From 1875 up to the present time I have had the books—that is, for the years of 1875 to 1878 inclusive.

Q. Do you know a man in Decatur Township by the name of Bernard Foley?—A. I don't know a man by the name of Bernard Foley. I know a man by the name of Bryan Foley, whose name appears on the September registry.

Q. Is there any other man of like name in the township?—A. Not that I know of.

Q. How long have you lived in Decatur Township?—A. All my lifetime, except five years, and I am forty-two years old.

Q. Do you know the following-named persons in Decatur township: A. G. Steimer, J. M. Hasson, Wm. Hughes, David S. Hughes, D. E. Gearhart, E. G. Gearhart, Harvey Ammerman, W. E. Wagoner, Charles Test, Jeremiah McClarran, and Edward Hughes?—A. Yes, sir.

Q. What is their politics?

(Objected to as immaterial and the testimony not competent, for the reason that the witness cannot testify how these parties, or any of them, may have voted on the 5th of November, 1878, unless he examined their ballots, either before or since they were cast, and that the testimony at best can only be hearsay, if the witness can testify to anything.)

A. They are Democrats, to the best of my knowledge.

Q. Are not some of them very active Democrats?

(Objected to for the same reason as before.)

A. They are.

Cross-examined:

Q. Did you send the receipts you mentioned of John Kelley or Kellar, George Jones, Charles Baker, to P. B. Zentmyer, signed by you, more than thirty days before the election, under an arrangement that he was responsible to you for the taxes, or would be, or would collect from the men in due time and pay over the money to you?—A. Yes, sir, I did.

Q. Did he not on the day of the election, the first time he saw you after this arrangement, pay over the money, or did the men themselves pay you?—A. P. B. Zentmyer paid it to me. It was paid the first time I saw him after the arrangement.

Q. Was not Robert Ditzworth and James M. Clark's taxes paid under this same arrangement, and were not their receipts sent to Mr. Zentmyer at the same time with those you have already mentioned, and were not all these men working at Moshannon mines, where Mr. Zentmyer is superintendent?—A. I did send these receipts at the same time, and I believe these men worked at that mine, although I can't say so positively.

Q. When, to the best of your knowledge, did Benjamin Kephart move into Decatur Township?—A. About the last of October or first of November, to the best of my knowledge, 1876.

Q. Do you know whether or not he worked for Jacob Dimeling during the winter of 1876 and the spring of 1877?—A. He worked some during that winter, to the best of my knowledge.

Re-examined:

Q. Was the arrangement between you and Zentmyer that you would look to him personally for these taxes, or that he was to collect the tax

and pay over to you?—A. When he sent the postal card and I sent the receipt, the way I understood it, he was to collect the tax for me.

LEVI GOSS.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

A. M. BLOOM recalled.

Question. Will you state whether you are familiar with the records in the prothonotary's office of Clearfield County?—Answer. I am.

Q. State with what papers and in what record books the petitions and applications for changes of township lines are kept and the proceedings thereof recorded?—A. They are kept with the road papers and the proceedings are recorded in the quarter sessions dockets from 1822 to 1863; from 1863 to the present time in the road docket.

Q. Prior to 1863, were not the proceedings in road cases recorded in the quarter sessions dockets?—A. Yes, sir; and since 1863 they are recorded in the road docket.

Q. Have you been requested by the counsel for contestee to make search in these record-books from 1822, when Clearfield County was first organized for judicial purposes up to the present time, for the record of a proceeding changing the township line between Boggs Township and Woodward Township, said county, upon the application of Philip Fisher or any one else?—A. I have.

Q. Have you all of these record books before you from 1822 up?—A. I have.

Q. Have you made the search requested; and, if so, who assisted you, how did you make it, and what do you find?—A. I have made such search, and was assisted by Frank Fleming. I made the search by leafing each docket, page by page, and examining the contents carefully from 1822 up to the present time, and find no record of any such proceeding.

Cross-examined:

Q. Might not such an application have been made and the order asked for granted, and the proper proceedings had thereunder, and the same not been recorded in any of the records to which your attention has been directed?—A. It is possible, but hardly probable.

Q. How long have you been deputy prothonotary?—A. Something over three years.

Q. How many times since you have been such have you been required to make examinations of records or papers of a character similar to this one in question, where such applications were made, back to a period of from twenty to forty years?—A. I don't know that I have ever been requested before this time.

Re-examined:

Q. Which one, your father, the prothonotary, or you, the deputy, attends to the searches made, and which is most familiar with the records?—A. I attend to making more re-searches; I don't know which is most familiar with the records, if there is any difference.

A. M. BLOOM.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

FRANK A. FLEMING produced and sworn.

Question. What is your business generally?—Answer. Clerking; I do writing; whatever I can get to do.

Q. Have you been employed at different times by the prothonotary of Clearfield County to copy, index, or search records for him?—A. I have, frequently.

Q. State briefly some of the work you have heretofore done under such employment.—A. About three years ago I assorted and refiled all the papers in the prothonotary's office, from 1837 up to that time. Since that time I have indexed several of the old dockets, among them the quarter sessions docket, from 1822 to 1838. That docket is here in the room, and I have done other work of like character.

Q. Were you employed by the prothonotary lately to compare copies of election returns for the following election districts of Clearfield County: Clearfield, Newbury, Osceola, and Wallaceton Boroughs, and Beccaria, Bell, Bloom, Boggs, Brady, Chest, Ferguson, Greenwood, Jordan, Knox, Lawrence, Penn, and Pike Townships, with their respective originals, as filed in the prothonotary's office and produced here in this room before the commissioner?—A. I was.

Q. Have you heard the testimony of Mr. A. M. Bloom relating to these copies and originals, and have you the same copies which he testified to making before you, and are they the same copies which you were employed to compare with their originals?—A. Yes, sir.

Q. Did you make the comparison, and how did you make it, and what did you find?—A. I made the comparison by reading both the originals and the copies, word for word, and found the copies to be correct.

Q. What do you say, then, are these copies true, correct, and copies of their respective originals?—A. I believe they are.

Q. What do they include for each of the said districts?—A. They include for each of the districts named the lists of voters, the oaths of election officers, and the affidavits of non-registered voters, except in instances where one or more of the returns had already been copied and offered in evidence, or where the originals were not on file in the prothonotary's office.

Q. Who had the custody of these papers during the time you were making the comparison, and until Mr. Bloom brought them before the commissioner this morning?—A. I had the custody of them all the time that they were out of the prothonotary's office.

Cross-examined:

Q. Do the copies you compared contain copies of all the affidavits of persons voting on age as well as non-registered voters in all of the several districts named, as they are on file with the originals of said districts?—A. Yes, sir.

FRANK A. FLEMING.

Attest:
[SEAL.]

JOHN W. SCOTT,
Notary Public.

Counsel for contestee now offers the sworn copies of returns identified by the witnesses A. M. Bloom and Frank A. Fleming:

Exhibit C, consisting of the papers as identified for Clearfield Borough.

Exhibit D, consisting of the papers as identified for Newbury Borough.

Exhibit E, consisting of the papers as identified for Osceola Borough.

Exhibit F, consisting of the papers as identified for Wallacetown Borough.

Exhibit G, consisting of the papers as identified for Beccaria Township.

Exhibit H, consisting of the papers as identified for Bell Township.

Exhibit I, consisting of the papers as identified for Bloom Township.

Exhibit J, consisting of the papers as identified for Boggs Township.

Exhibit K, consisting of the papers as identified for Brady Township.

Exhibit L, consisting of the papers as identified for Chest Township.

Exhibit M, consisting of the papers as identified for Ferguson Township.

Exhibit N, consisting of the papers as identified for Greenwood Township.

Exhibit O, consisting of the papers as identified for Jordan Township.

Exhibit P, consisting of the papers as identified for Knox Township.

Exhibit Q, consisting of the papers as identified for Lawrence Township.

Exhibit R, consisting of the papers as identified for Penn Township.

Exhibit S, consisting of the papers as identified for Pike Township.

Objected to by contestant for the reason that the papers as identified are not full, complete, and entire exemplifications of all the papers returned in the several named districts as on file in the prothonotary's office as returned by the proper officers under the election law, and as being the returns for the election of the said districts.

Counsel for contestee now offers notices of examination of witnesses at the court-house in the borough of Clearfield, in the county of Clearfield, Pennsylvania, between the 20th day of February and the 29th day of March, 1879, inclusive, marked Exhibit T, and consisting of notices, numbers 1 to 41 inclusive.

Also notices of examination of witnesses at Du Bois, Clearfield County, Pennsylvania, between the 3d and 29th days of March, 1879, inclusive, marked Exhibit U, consisting of notices, numbers 1 to 5 inclusive.

Also, notices of examinations of witnesses at Houtzdale Borough, Clearfield County, Pennsylvania, between the 17th and 29th days of March, 1879, inclusive, marked Exhibit V, consisting of notices Nos. 1 to 26, inclusive.

Also, notices of examination of witnesses at Pennfield, Clearfield County, Pennsylvania, between the 27th and 29th days of March, 1879, inclusive, marked exhibit W, consisting of notices 1 to 4, inclusive.

Counsel for contestee also gives notice that he will file with one of the commissioners, John W. Scott or William Radebaugh, esqs., his subpœna for witness, as follows :

Subpœnas for witnesses at Clearfield, Pennsylvania, marked Exhibit X, and consisting of subpœnas Nos. 1 to 21, inclusive.

Also subpœnas for witnesses at Du Bois, Pennsylvania, marked Exhibit Y, consisting of subpœnas Nos. 1 to 3, inclusive.

Also subpœnas for witnesses at Houtzdale, Pennsylvania, marked Exhibit Z, consisting of subpœnas Nos. 1 to 20, inclusive.

Also subpœnas for witnesses at Penfield, Pennsylvania, marked Exhibit A A, consisting of subpœnas Nos. 1 to 3.

At 6.30 p. m., March 29, 1879, adjourned until 8 o'clock p. m., March 29, 1879.

Eight o'clock p. m., March 29, 1879, examination resumed.

FRANK FLEMING re-examined:

Question. When on the stand before I forgot to ask you whether you assisted A. M. Bloom in making search for the record of a proceeding to change the township line between Boggs and Woodward Townships, Clearfield County. Will you now state if you did assist in making such search?—Answer. I did.

Q. What records did you search, where did you begin and end, and what did you find?—A. We searched the records from 1822 up to the present time; quarter sessions dockets from 1822 up to 1863, in which such proceedings were then recorded, and then began with road docket for the year 1863 and searched them up to the present time, and found no record of any such proceedings therein.

Q. State how you searched these books. Did you rely on the indexes, or leaf the books page by page and in that way examine the contents?—A. We did not rely upon the indexes, but searched them page by page; leafed them over, and in that way examined them.

Cross-examined:

Q. Did you or the deputy prothonotary who assisted in this search examine any of the other records than those you have named?—A. None but what I have named.

Re-examined:

Q. Will you state whether the books you searched are now before you, and if so, what books are they?—A. They are, and are as follows:

(1.) Quarter sessions docket No. 1, October sessions, 1822, to December sessions, 1837.

(2.) Quarter sessions docket No. 2, January term, 1838, to November, 1846.

(3.) Quarter sessions docket No. 3, February sessions to September sessions, 1862.

(4.) Road docket from 1863 to 1871.

(5.) Road docket from January term, 1872, to March term, 1879.

Re-cross-examined:

Q. Are there not a very large number of other records and papers in the prothonotary's office that you did not examine?—A. There are.

Re-re-examined:

Q. Are there any such pertaining to changes of township lines that you know of that you have not examined?—A. No; we examined all the records we could find relating to the changes of township lines.

FRANK A. FLEMING.

Attest:

[SEAL.]

JOHN W. SCOTT,
Notary Public.

At 9 p. m., March 29, 1879, adjourned *sine die*.

The notices already offered are distributed between the notaries as follows:

To Wm. Radebaugh, Exhibit T, Clearfield notices Nos. 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 15, 18, 19, 21, 22, 23, 25, 27, 28, 29, 31, 33, 34, 35, 36, 37; Exhibit V, Houtzdale notices 2, 3, 5, 8, 9, 12, 14, 16, 17, 20, 21, 22, 24, 25; Exhibit W, Penfield notices, Nos. 1 and 3.

To W. N. Prothero, Exhibit T, Clearfield notices Nos. 8, 9, 12, 14, 16, 17, 20, 24, 26, 30, 32, 38; Exhibit U, DuBois notices Nos. 1, 2, 3, 4; Exhibit V, Houtzdale notices Nos. 1, 4, 6, 7, 10, 11, 13, 15, 18, 19, 23, 26; Exhibit W, Penfield notices No. 2.

To John W. Scott, Exhibit T, Clearfield notices Nos. 39, 40, 41; Exhibit W, Penfield notices, No. 4.

The following corrections appearing in the body of the record were made in recording the testimony in presence of counsel, both for contestant and contestee, by the notary.

On 1st page the word "vote" inserted between 3d and 4th lines of S. Snyder Bloom's testimony, and on same page the word "election" inserted between 4th and 5th lines of S. Snyder Bloom's testimony.

On 2d page, above 1st line, the name "Enos Bloom" inserted.

On 3d page, 15th line, the word "at" erased, and the word "or" inserted between 14th and 15th lines from top.

On 5th page, the word "chap" inserted between 1st and 2d lines from bottom.

8th page, the word "within" inserted between 4th and 5th lines. Same page, words "on age" inserted between 21st and 22d lines from top. Same page, 23d line, word "January" erased, and the word "general" inserted between 22d and 23d lines from top.

9th page, 8th line from bottom, "Ques. And further saith not" erased. Same page, between 13th and 14th lines from bottom, the syllable "ed" inserted.

10th page, 8th line from bottom, "Ques." erased. Same page, between 10th and 11th lines, the word "him" inserted.

11th page, 1st line, the word "tax" erased, and the words "three dollars" inserted above. Same page, between 3d and 4th lines, "against you" inserted, Same page, last line, last word "any" erased.

12th page, between 10th and 11th lines, "ed" inserted. Same page, between 12th and 13th lines, "By W. W. Hoover, the collector," inserted. Same page, 4th line from bottom, the word "March" erased, and "September" inserted between 4th and 5th lines from bottom.

13th page, 15th line from top, in the word "these" "se" erased. Same page, 7th line from bottom, "Ques." erased.

14th page, 3d line, "Ques. R." erased. Same page, 7th line, the word "it" erased. Same page, 14th line from bottom, "Ques." erased.

15th page, between 14th and 15th lines from bottom, "minority" inserted.

16th page, between 12th and 13th lines, the words "he said" inserted.

17th page, between 11th and 12th lines, the word "tell" inserted.

19th page, 8th line, "during the" erased. Same page, 14th line, the word "they" erased, and between 13th and 14th lines "we" inserted.

21st page, 2d line from bottom, word "supper" erased, and the word "Robbin's house" inserted between 3d and 4th lines from bottom. Same page, 3d line from bottom, "into the" erased, and "to the school house" inserted between 3d and 4th lines from bottom.

22d page, 6th line from bottom, the letter "p" erased.

26th page, 6th line from bottom, the word "thing" erased.

28th page, the word "been" inserted between 4th and 5th lines from bottom.

30th page, "prior" inserted between 11th and 12th lines from bottom.

36th page, "that when" inserted between 7th and 8th lines from top.

39th page, between 3d and 4th lines, the words "entry or" inserted. Same page, 3d line from bottom, "Q." erased. Same page, between 6th and 7th lines from bottom, the word "showed" inserted.

40th page, 1st line, "pay a" erased, and "of November" inserted above.

41st page, 2d line from bottom "Ans." erased. Same page, the word "before" inserted between 4th and 5th lines from bottom, and between 7th and 8th lines the words "in September" inserted.

46th page, 16th line from top, "Ques." erased.

47th page, 12th line, "Ques." erased. Same page, 12th line from bottom, "Ques." erased.

48th page, 11th line from top, "Ques." erased. Same page, 12th and 13th lines, "Decatur" erased, and "Boggs" inserted between 11th and 12th lines from top. Same page, 8th line from bottom, "Clearfield" erased and "the United" inserted, between 8th and 9th line from bottom. Same page, 2d line from bottom, word "these," "se" erased.

49th page, 12th line from bottom, "he" inserted above said line.

50th page, 7th line from top, "Ans." erased.

51st page, 4th line from bottom, the word "Republican" erased and the word "the" written over it.

52d page, between 13th and 14th lines from bottom, "candidate" inserted. Same page, 16th line from bottom, the words "there were" erased.

53d page, 4th line, "Ques." erased.

56th page, 7th line, "Ques." erased.

57th page, 9th line, "Ques." erased.

59th page, 1st line, "it" erased and "your name" inserted above.

61st page, 8th and 13th lines, "Ans." "Ques." erased.

63d page, 8th line from bottom, "for" erased and "or" inserted. Same page, 11th line, a word erased and no insertion. Same page, 14th line from bottom, "Ans." erased.

65th page, 11th line from the bottom, and line above, the words "did your father" erased.

67th page, last line, the word "produces" erased.

68th page, the word "year" inserted between the 13th and 14th lines. Same page, between second and 3d lines from bottom, the word "recollection" inserted.

70th page, 4th line from bottom, the word "were" erased.

71st page, 13th line from bottom, "asked" changed to "asks."

73d page, 11th line, "Ques." erased.

75th page, 6th line, "copy of" written on or over other words. Same page, between 11th and 12th lines, "for the general election" interlined.

76th page, 3d line, "Ans." erased.

77th page, 8th line, "Ans." erased.

78th page, "Jordan" written on or over an erasure.

79th page, 10th line, "Ans." erased.

82d page, 1st line, "Numbered" erased and "forms Nos." written above. Same page, 12th line, the word "form" erased.

83d page, 14th line, "of" erased. Between 19th and 20th lines, "outside of your office" interlined.

84th page, 17th line, "who" interlined above.

86th page, 7th line from bottom, the word "my" erased.

88th page, 5th line, "Well, my father tol" erased.

92d page, between 12th and 13th lines, "collected" inserted in place of "paid," erased in 13th line.

94th page, between 1st and 2d lines from bottom, the word "accordingly" inserted. Between 5th and 6th lines from bottom, the words "some others" inserted.

95th page, 12th line from top, in "John," "ohn" erased. Same page,

between 1st and 2nd line from bottom, "when" inserted in place of "as" erased.

98th page, 9th line, "Ans." erased.

99th page, between 11th and 12th lines, "at the same time" inserted.

100th page, last line at bottom "ware" erased and "have" inserted above, and same page, the word "in" inserted between 5th and 6th lines from bottom.

101st page, "for the" erased in 5th line.

102d page, between 16th and 17th lines, the word "similar" inserted.

103d page, 5th line from bottom, the word "make" erased, and between 5th and 6th lines, "compare" inserted.

105th page, 6th line from the bottom, "counsel for" erased.

106th page, 11th line, "oaths" erased and "the" inserted above the line.

110th page, between 15th and 16th lines, the word "any" inserted.

108th page (omitted) over 1st line, the word "inclusive" inserted.

107th page (omitted) between 5th and 6th lines from bottom, the words "examination of" inserted.

STATE OF PENNSYLVANIA,

Clearfield County, ss:

I, John W. Scott, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers in said depositions were taken down by me, truly and correctly, as they fell from the lips of the respective counsel and witnesses. And I do further certify that the erasures and interlineations made therein, and particularly set forth on pages 113, 114, 115, 116, and 117, were made by me, on the lines and pages therein noted, before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 29th day of March, 1879.

[SEAL.]

JOHN W. SCOTT,
Notary Public.

EXHIBIT A.

Oaths of election officers.

OATH OF JUDGE.

I, Joseph Rainey, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I

am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOSEPH RAINEY,

*Judge of the Election District composed of the
Borough of Newburg, in the County of Clearfield.*

Subscribed and affirmed this fifth day of November, 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, E. R. Rose, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

E. R. ROSE,

*Inspector of the Election District composed of the
Borough of Newburg, in the County of Clearfield.*

Subscribed and affirmed this fifth day of November, 1878, before me.

JOSEPH RAINEY,

Judge.

I, John Rainey, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is required by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN R. RAINEY,

*Inspector of the Election District composed of the
Borough of Newburg, in the County of Clearfield.*

Subscribed and affirmed this fifth day of November, 1878, before me.

JOSEPH RAINEY,

Judge.

OATHS OF CLERKS.

I, Gilbert Tozier, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the town-

ship, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GILBERT TOZIER,
*Clerk of the Election District composed of the
Borough of Newburg, in the County of Clearfield.*

Subscribed and affirmed this fifth day of November, 1878, before me.

JOSEPH RAINEY,
Judge.

I, Goodwin Worrell, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GOODWIN WORRELL,
*Clerk of the Election District composed of the
Borough of Newburg, in the County of Clearfield.*

Subscribed and affirmed this fifth day of November, 1878, before me.

Judge.

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, Eli Bloom, prothonotary of the court of common pleas, county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the oaths of judge, inspectors, and clerks of election district of Newburg, Borough for the general election of the 5th day of November, 1878, as the same remains on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th Feb., 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT B.

Oaths of election officers.

OATH OF JUDGE.

I, A. Fratze, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as

I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse, in carrying on the same, by citizens qualified to vote or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

ALEXANDER FANCE,

*Judge of the Election District composed of the Borough of
Wallaceton, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

M. D. REIDY, J. P.

OATHS OF INSPECTORS.

I, John O'Dell, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN O'DELL,

*Inspector of the Election District composed of the Borough of
Wallaceton, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

M. D. REIDY, J. P.

I, Wm. H. Learist, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. H. LEARIST,

*Inspector of the Election District composed of the Borough of
Wallaceton, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

M. D. REIDY, J. P.

OATHS OF CLERKS.

I, Joseph Ross, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. W. ROSS,

*Clerk of the Election District composed of the Borough of
Wallaceton, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

M. D. REIDY, J. P.

I, Wm. Gaffius, do affirm that I will, as clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. GRAFFIUS,

*Clerk of the Election District composed of the Borough of
Wallaceton, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

M. D. REIDY, J. P.

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the oaths of judge, inspectors, and clerks for the election district of Wallaceton Borough for the general election of the 5th Nov., 1878, as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th day of February, 1879.

[SEAL.]

ELI BLOOM,

Prothonotary.

EXHIBIT C.

Oaths of election officers.

OATH OF JUDGE.

I, John Baker, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN BAKER,

*Judge of the Election District composed of the
Township of Bell, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, D. W. Logan and Wm. O'Dell, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

D. W. LOGAN,

*Inspector of the Election District composed of the
Township of Bell, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

JOHN BAKER, *Judge.*

I, Wm. O'Dell, do that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, with-

out requiring such evidence of the right to vote as is directed by law ; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities ; that I am not, directly or indirectly, interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. O'DELL,

*Inspector of the Election District composed of the
Township of Bell, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

JOHN BAKER, *Judge*

OATHS OF CLERKS.

I, P. O'Dell, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability ; that I am not, directly or indirectly, interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

PHILIP O'DELL,

*Clerk of the Election District composed of the
of in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

JOHN BAKER, *Judge.*

I, W. J. Mogle, do that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability ; that I am not, directly or indirectly, interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. J. MOGLE,

*Clerk of the Election District composed of the
Township of Bell, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

JOHN BAKER, *Judge.*

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, Eli Bloom, proth'y of the court of common pleas, of county and State aforesaid, do hereby certify that the foregoing is a true and correct of the oaths of judge, inspectors, and clerks of election district of Bell Township, for the general election of the 5th November, 1878, as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th February, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT D.

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, Eli Bloom, prothonotary of the court of common pleas of the county and State aforesaid, do hereby certify that there is no oaths of the election officers for the election district composed of the township of Chest on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th day of February, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT E.

Oaths of election officers.

OATH OF JUDGE.

I, L. C. Robbins, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

L. C. ROBBINS,
*Judge of the Election District composed of the
 Township of Knox, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, Thomas Lord, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall

firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

*Inspector of the Election District composed of the
Township of Knox, in the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 1878, before me.

Judge.

I, G. W. Robbins, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

THOMAS LORD,

*Inspector of the Election District composed of the
Township of Knox, in the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 187 , before me.

Judge.

OATHS OF CLERKS.

I, Wm. Wise, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

PETER OWENS,

*Clerk of the Election District composed of the
Township of Knox in the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 1878, before me.

_____,
Judge.

I, Peter Owens, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. WISE,
*Clerk of the Election District composed of the
Township of Knox in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

L. C. ROBBINS, *Judge.*

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the oaths of judge, inspectors, and clerks of election, district of Knox Township, for the general election of the 5th November, 1878, as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th February, 1879.

ELI BLOOM,
Prothonotary.

EXHIBIT F.

Oaths of election officers.

OATH OF JUDGE.

I, Peter Moyer, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse, in carrying on the same, by citizens qualified to vote or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

PETER MOYER,
*Judge of the Election District composed of the Township of
Morris, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

A. W. RAYMOND, *J. P.*

OATHS OF INSPECTORS.

I, W. E. Deviney, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. E. DEVINEY,

*Inspector of the Election District composed of the Township
of Morris, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

A. W. RAYMOND, J. P.

I, Jos. H. Raymond, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOSEPH RAYMOND,

*Inspector of the Election District composed of the Township
of Morris, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

A. W. RAYMOND, J. P.

OATHS OF CLERKS.

I, John E. Hockenbery, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters, opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose

how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN E. HOCKENBERY,
*Clerk of the Election District composed of the Township of
Morris, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

A. W. RAYMOND, *J. P.*

I, James Thompson, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JAMES THOMPSON,
*Clerk of the Election District composed of the Township of
Morris, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

A. W. RAYMOND, *Judge.*

STATE OF PENNSYLVANIA,
County of Clearfield :

I, Eli Bloom, prothonotary of the court of common pleas of the county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the oaths of judge, inspectors, and clerks of election for the election district of Morris Township, for the general election of the 5th November, 1878, as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18 February, 1879.

ELI BLOOM,
Prothonotary.

EXHIBIT G.

Oaths of election officers.

OATH OF JUDGE.

I, John Little, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty

respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN LITTLE,

*Judge of the Election District composed of the ——— of ———, in
the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 1878, before me.

—————,
Minority Inspector.

OATHS OF INSPECTORS.

I, George Gallaher, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEORGE W. GALLAHER,

*Inspector of the Election District composed of the ——— of ———, in
the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 1878, before me.

—————,
Judge.

I, Geo. Merritt, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

GEO. G. MERRITT,

*Inspector of the Election District composed of the ——— of ———, in
the County of Clearfield.*

Subscribed and ——— this 5th day of Nov., 1878, before me.

—————,
Judge.

OATHS OF CLERKS.

I, John Beish, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN BEISH,

*Clerk of the Election District composed of the _____ of _____, in
the County of Clearfield.*

Subscribed and _____ this 5th day of Nov., 1878, before me.

Judge.

I, Alexander Wiser, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

ALEXANDER WISER,

*Clerk of the Election District composed of the _____ of _____, in
the County of Clearfield.*

Subscribed and _____ this 5th day of Nov., 1878, before me.

JOHN LITTLE,

Judge.

STATE OF PENNSYLVANIA,

County of Clearfield, ss:

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the oaths of judge, inspectors, and clerks for the election district of Boggs Township, for the general election of the 5th November, 1878, as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 18th day of February, 1879.

ELI BLOOM, *Prothonotary.*

EXHIBIT I.

Register of the qualified voters residing within the election district of Clearfield Borough, Clearfield County, Pennsylvania, 1878.

Adams, Jno. M.	Cooper, Edwin	Goodfellow, Ed.
Ale, Ezra	Cooper, James	Glantz, M. S.
Alexander, Jas.	Cowdrick, M. B.	Gunzburg, A.
Alleman, A. B.	Cary, Silas	Gearhart, Register
Alleman, Benj.	Cutler, Jno.	Graham, A. W.
Anderson, Thos.	Cleary, James	Hemphill, J. W.
Aughenbaugh, Jno.	Canfield, Rich.	Hoffman, Wm.
Adams, A. A.	Carden, F. M.	Haulsterik, J. G.
Ale, Harvy	Cooper, B. F.	Hennesey, Tim
Adams, James	Carden, C. W.	Hiler, A. M.
Boynton, Jona.	Contra, Joseph	Hullihan, Jno.
Benner, Danl.	Carden, F. C.	Howe, C.
Bigler, H. F.	Cooper, F. F.	Hill, Ed.
Bigler, Wm.	Carden, Wm.	Hale, Wm.
Barrett, Geo. R.	Caldwell, Wm.	Hemphill, Harry
Brown, M. G.	Corpinig, Frank	Hastings, J. M.
Bradley, W. S.	Cleary, Thos.	Hagerty, Jacks.
Boynton, A. F.	Connelly, Dan'l	Holmes, Banks
Bottorf, J. K.	Connelly, Michael	Halfera, C. H.
Brown, W. R.	Doray, J. W.	Hess, Abram
Bickel, B. F.	Dill, W. H.	Honer, Harris
Betts, W. W.	Dougherty, Thos.	Harwick, Andrew
Baclary, Jno.	Dougherty, Jas. H.	Hall, Cyrus
Bridge, Henry	Dearing, J. H.	Hileburn, Danl.
Brown, Jos.	Day, Reuben	Herchold, J. L. R.
Burchfield, J. P.	Doray, G. W.	Harris, Frank G.
Butler, Jerry	Duff, Saml.	Holt, V. B.
Barger, Samuel	Dougherty, Danl.	Herbert, Patrick
Barrett, Walter	Dorvilt, Wm.	Hagerty, W. A.
Burchfield, E. M.	Dougherty, Jno., jr.	Hoover, Frank
Bigler, W. D.	Ducket, Thos.	Hill, Jno.
Butler, H. S.	Endres, Wendell	Irwin, W. F.
Bigler, E. A.	Fullerton, D. R.	Irwin, Jno. F.
Boyer, T. J.	Faust, Jacob A.	Irwin, James
Barrett, Chas.	Foly, W. C.	Irwin, Chas.
Baham, James	Fielding, Frank	Johnson, Isaac
Buck, F. O. L.	Fleck, Thos. A.	Jackson, A. J.
Bock, Ernst	Flemming, F. A.	Johnson, E. C.
Boyl, Geo. E.	Fullington, Alonzo	Jordan, Geo.
Butters, S. S.	Flaharty, Joshua	Jones, Wm.
Barr, W. A.	Freeze, Larry	Jones, Jos. H.
Bloom, Eli	Gurnzburg, Ed.	Johnson, Fred
Barrett, C. L.	Graham, A. A.	Kragle, Jno., sr.
Bottorf, M. S.	Gulick, Jno.	Krabzer, C.
Barger, Ed.	Gearhart, G. W.	Kirk, J. F.
Brockbunk, S. T.	Govaland, G. B.	Krabzer, Harry
Burge, W. S.	Graham, I. B.	Kittlebarger, M. J.
Benner, Ed.	Gaulin, P. A.	Kittlebarger, Jno.
Brown, Jesse	Graham, E. W.	Kennara, Amos.
Boggs, Cyrus	Goodfellow, G. D.	King, H. T.
Cuttle, Jno. L.	Gordan, Cyrus	Kuhn, Jno.

Kennara, Rich.	Mitchell, A. F.	Read, Wm.
Krebs, D. L.	Mitchell, Oscar	Robins, N. L.
Kittlebarger, Philip	Mitchell, Alfred	Rider, Wm.
Kerr, James	Myers, J. C.	Read, A. R.
Kragle, Jno. L.	McEnally, R. M.	Randaker, Jno.
Kramer, Jno.	McNamara, Jno.	Reynolds, Geo. W.
Kelly, Michael	McKendrick, J. F.	Rhoades, Sam'l
Kephart, Joshua	Moore, O. L.	Read, A. B.
Keaggy, Christ.	Mignot, Chas.	Row, Amos
Leonard, Jas. T..	Martin, J. H.	Runk, Geo. D.
Lee, A. W.	Mitchell, H. A.	Rook, Martin
Lanich, Geo. D.	Moore, Geo. C.	Read, Newton
Leipold, Casper	Mills, Harry	Shugart, Jno. W.
Litzinger, Fred.	McDermott, Frank	Shuk, Alfred
Lytle, Jno.	McDonald, Jas.	Smith, J. W.
Leavy, A. B.	McMath, Jno.	Shuk, M.
Leavy, J. L.	Mu'holand, Wm.	Snyder, H. E.
Larimer, Jos. B.	McMurray, J. S., Rev.	Spackman, M. B.
Logan, Albert	Morgan, Geo. L.	Stevenson, Jos.
Logan, Alphonzo	McQuoun, M. L.	Shaw, W. M.
Leavy, G. R.	Martin, A. F.	Southard, Isaac
Lytle, Jno., jr.	Moore, Thos. W.	Shaw, R. N.
Lanich, Robt.	McPherson, Reubin	Smith, H. W.
Lee, N. B.	McMath, James	Snoke, Jacob
Labar, Jas. M.	Newhouser, Crist.	Smith, F. R.
Lytle, James	Nevling, Wm.	Simons, Jno.
Livingston, Jno.	Newsin, Jno.	Staddler, Jno.
Leavy, Ed. A.	Ogden, M. S.	Showers, Michael
Livingston, Harry	Owens, C.	Shuk, Rich.
Lawhead, Lewis	Ogden, Jas.	Sutton, James
Lowman, Wm.	Ogden, M. R.	Shaw, Jos.
Moore, James A.	Oliver, Wm.	Snyder, Sam'l I.
Mitchell, Allen	Powell, Wm.	Smith, C. W.
McCullough, Wm. M., sr.	Parks, H. W.	Sackett, Fred.
McCullough, L. K.	Porter, Wm.	Shuk, Robt.
McClellan, Jno.	Passmore, Geo. C.	Scheurer, E. M.
Mills, Thos.	Pendegrast, Jas.	Sutton, Jno.
Mitchell, Robt.	Passmore, Ed.	Shenaim, P. J.
Moore, Jacob	Porter, Jno.	Shaw, Thad
McCullough, W. M., jr.	Pendegrast, Patrick	Shaw, R. H.
Mitchell, James	Plumer, Scott	Shaw, A. B.
Mossop Rich.	Pattersin, Jno.	Simons, P.
Morgan, Jas. L.	Powell, Frank	Stanley, Sam'l
Moore, D. W.	Pentz, Andrew, jr.	Shope, H. J.
McCullough, T. J.	Pentz, E. M.	Scheffer, Jno.
McEnnally, J. B.	Read, Ross	Staver, J. P.
Menell, L. R.	Radebaugh, Wm.	Stock, Jno. A.
McPherson, W. R.	Rheem, Geo. W.	Stewart, J. M.
McGaughey, Jno.	Row, S. J.	Spackman, H. B.
Murray, T. H.	Robbins, Thos.	Smith, James
M'Glaughlin, Jas.	Row, S. B.	Shaw, A. J.
McCurdy, D. W.	Reed, G. L.	Schloss, Simon
Murray, Jno.	Reiley, Thos.	Soper, W. G.
Miller, Levi	Row, A. M.	Snyder, Frank
M'Gaughey, David	Reed, Jas. L.	Sloppy, M. L..
Montague, Robt.	Ross, Harry	Sullivan, Michael

Troutman, Jno.	Watson, C. D.	Wilson, Smith V.
Taylor, R. B.	Whitehill, J. C.	Wagener, D. S.
Tucker, Wm.	Wallace, W. A.	Watsin, W. W.
Test, Israel	Wilsin, W. T.	Wallace, W. E.
Thompson, Robt.	Wright, W. V.	Whitmer, Jos.
Thorn, Geo.	Warrell, W. W.	Wright, L. A.
Tate, A. C.	Walters, J. B.	Weaver, Geo. B.
Taylor, Wm.	Watson, Jas. E.	Willey, Frank
Tucker, W. S.	Weaver, Jno. F.	Weaver, A. B.
Thorn, Warren	Walters, A. W.	Yothers, Joseph
Taylor, Robins	Wrigley, Jno. W.	Young, Geo. S.
Vanvalzah, B. H.	Wallace, H. F.	Youngman, B. C.
Wrigley, James		

September registry.

Aughenbaugh, Wm.	D'Woods, Jordan	Nucklin, J. W.
Burchfield, Jos.	Jordan, Edward	Ogden, Fulbert
Buoy, Thomas B.	Roons, N. D.	Shinkusiler, Harry
Bloom, J. Miller	Kramer, Howard	Southard, Walter
Cleary, Thomas	Lenfold, Geo.	Shugart, Kirby
Dougherty, Hugh	Leipold, Dan'l	Smith, Walter
Fenkbinder, J. H.	Johnson, Dana	Wrigley, J. Kay
Grotzinger, Ignatius	Johnson, Jno. K.	Wrigley, Frank
Gulich, Geo. W.	Mullen, Thomas	Wrigley, J. L.
Hoffer, W. J.	Mullen, Jas. A.	Wallace, Bishop
Johnson, Geo.	McPherson, Reuben	Powell, Harry

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, State of Pennsylvania, and as such having custody of the seal of said county, do hereby certify, after comparision and examination, that the within pages contain a true copy and correct transcript of the registry list of voters of and for Clearfield Borough, as fully and particularly as the same remain of file in the office of the county commissioners' office, as made for and containing the list of voters for the election held 5th November, A. D. 1878, in said borough of Clearfield, and that there is no other registry list for said election for said borough on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the said commissioners of the county of Clearfield this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT J.

*Register of qualified voters residing within the election district of Wallace
 ton Borough, Clearfield County, Pennsylvania, 1878.*

Berry, Rev.	Brown, F. Rev.	Campman, Fred.
Colegrove, Frank	Connell, Patrick	Cramer, Michael
Dixon, J. R.	Hiles, Thomas	Rice, John
Emeigh, Geo.	Klear, Andrew	Reidy, Michael
France, A.	Knuff, Geo.	Shaw, A. M.
Flegal, Rev.	Larrish, Wm.	Strickland, Geo.
Graffins, Wm.	Maze, C. W.	String, Edw.
Goss, Frank	O'Dell, John	Smeal, M. B.
Holt, John	Ross, Isaac	Strayer, Dan'l, Rev.
Holt, Stephen	Robeson, Ed.	

September registry.

Turner, J. K.	Turner, Benj.	Goon, Thos. H.
Turner, D. I.	Westbrook, Jno.	Holt, Thos.
Thayer, P.	Ulrick, Jacob	
Turner, Jas. H.	Wetsee, George	

STATE OF PENNSYLVANIA,

County of Clearfield, ss:

I, John W. Howe, clerk of the commissioners of the county of Clearfield, State of Pennsylvania, and as such having custody of the seal of said county, do certify that after comparison and examination thereof that the foregoing and within pages contain a true copy and correct transcript of the registry list of voters of and for Wallaceton Borough, as fully and particularly as the same remains of file in the said office of the county commissioners as made for and containing the list of voters for the election held on the 5th November, A. D. 1878, in said borough of Wallaceton, and that there is no other registry list for said election for said borough on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the said commissioners of the county of Clearfield this 17th day of March, A. D. 1879.

[SEAL]

JOHN W. HOWE, *Clerk.*

EXHIBIT K.

Register of the qualified voters residing within the election district of Newburg Borough, Clearfield County, Pennsylvania, for the year 1878.

Bishop, Lorenzo	Hurd, Walker	McMasters, Henry
Coulter, James	Hurd, L. J.	Milter, Edward
Coulter, Wm.	Holland, Wm.	Rose, Edward
Clempson, E. B.	Klinger, John	Rainey, Joseph
Coulter, Samuel	Lingafelt, Wm.	Rainey, John
Feltwell, Joshua	Miller, Jno. D.	Reading, Jno.
Hurd, Eli	Michaels, David	Tozer, Thomas
Hunter, Wm.	McFadden, Peter	Tozer, Gilbert J.
Hiltebrand, E.	Markle, Isaac	Tubbs, Thomas
Hurd, A. L.	Miller, S. H.	Vems, George
Hurd, H. H., jr.	McFadden, Sam'l	
Worrell, Goodwin	Wood, Jehu	Worrell, Joseph
Worrell, Charles	Worrell, Jno. H.	Worrel, Bigler
Wood, Francis	Wood, Harrison	

September registry.

Clemsen, William	Holland, Joseph	Markle, Franklin
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STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do certify, after comparison and examination thereof, that the foregoing and within pages contain a true copy and correct transcript of the registry list of voters of and for Newburg Borough,

as fully and particularly as the same remains of file in the said office of the county commissioners as made for and containing the list of voters for the election held on the 5th November, A. D. 1878, in said borough of Newburg, and that there is no other registry list for said election for said borough on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the said commissioners of the county of Clearfield this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT L.

Register of the qualified voters residing within the election district of Bell Township, Clearfield County, Pa., for the year 1878.

Anthony, James	Cravener, Simon	Lee, John F.
Amich, John	Campbell, Thos. J.	Logan, D. W.
Byers, Wilken	Dougherty, A.	Lee, Thos. C.
Byers, Geo. W.	De Haven, Abram	Lee, Timothy
Bouch, Dan'l	Davidson, Jos., jr.	Lyons, Jacob
Breth, Henry J.	Davidson, Alex.	Linaly, G. W.
Beaty, Austin	Davidson, Frank	Ling, A. J.
Baker, John	Davidson, James	Linsenbigler, Thomas
Brady, Wm.	Donohue, M. F.	Miller, Thomas B.
Beatty, James O.	Dove, R. S.	Miller, Milton
Bouch, Geo. W.	Deam, Henry	McGhee, Philip
Bouch, Emanuel	Deam, Henry, jr.	Mechley, Jas. P.
Best, George	Estucker, Christ.	McGhee, Jas. A.
Beaty, Robert	Ellis, Thomas	McClinsey, James
Bickell, Henry	Edmonston, Jacks.	Miller, Christian
Baird, E. B.	Fairbanks, Henry	Mott, Jno. W.
Bouch, Isaac	Fullmer, James	Miller, E. L.
Beaty, Huston	Fryer, Daniel	Miller, Angus
Breth, John	Fercus, David	Mott, H. W.
Breth, Christ.	Friedline, Dave	McGhee, Thos. A.
Brickel, James	Friedline, Peter R.	Miller, Noah
Beck, Robert	Friedline, John	Mahoffey, Wm.
Black, John	Hall, Samuel	McGhee, James
Bender, David	Hawk, Uriah	Mechley, Jno., sr.
Beaty, Foster	Hawk, Jacob	McGhee, Henry H.
Bechtel, Fred.	Hecker, Jos.	Mahoffey, James
Bloom, Abram	Henry, Jos. K.	Mechley, Sam'l T.
Campbell, Jas. A.	Hawk, Christ.	Miller, David
Campbell, J. W.	Hawk, Wm.	Miller, George
Cauffman, Geo.	Hockenberry, Jos.	Mott, David
Campbell, Wash.	Hartlerode, Alex.	McCluney, John
Cupler, Adam	Henderson, H. L.	Moorhead, Sam'l G.
Cauffman, Sam'l, sr.	Hulligan, Balzer	Mechley, Geo. W.
Campbell, Arbither	Huligan, Christ.	McGhee, Jas. W.
Campbell, W. T.	Ivert, Uriah I.	Mahoffey, Robt.
Campbell, Jos. L.	Johnson, James	McGhee, Samuel.
Cauffman, Sam'l, jr.	Johnson, J. W.	McGhee, Henry L.
Campbell, Wellington	Knarr, Elias	McManus, James
Cauffman, D. L.	Koonley, John	McGhee, W. B.
Campbell, Jas., jr.	Korb, Henry	Myers, Silas B.
Cauffman, Jno.	Korb, Adam	McCloskey, P.

Mogle, George	Ross, W. H.	Sunderland, Jeff.
Mahoffey, R. F.	Ross, Jno. M.	Snyder, Daniel L.
Mogle, Wm.	Ramaly, J. M.	Snyder, M. L.
Mott, James	Rivals, Jonathan	Shope, Irvin
McClinsey, Hiram	Rutter, Thomas	Snyder, Harper
McAdo, Robert	Rithmiller, Peter	Sunderland, Bigler
McClinsey, Wm.	Rutter, John	Shaffer, Wm.
McClinsey, Hugh	Ramaley, Jackson	Shearley, Wm.
McClinsey, Jacks.	Snyder, Esther	Stegner, Jacob
Mangold, Godfrey	Sunderland, Thos.	Snyder, D. John
Newcomer, W. H.	Sunderland, Levi	Selfrage, H. P.
Neff, Jacob C.	Sunderland, Jas.	Selfrage, J. Martin
Nickelson, John	Sunderland, J. B.	Shively, Fred.
O'Dell, John	Sunderland, T.	Stegner, Henry
Orr, William	Snyder, J. M., Rev.	Varner, Abram
O'Dell, William	Sunderland, Sam'l	Work, Joseph
O'Dell, Philip	Snyder, Jacob C.	Weaver, Jesse
O'Dell, W. B.	Snyder, Henry	Weaver, Godfrey
Parish, Leo J., sr.	Snyder, D. D.	Walls, Andrew
Parish, Leo J., jr.	Shaffer, James	Walker, Judson
Pease, Solomon, sr.	Simpson, Chas.	Wetzell, R. T.
Pease, Jos.	Shaffer, Philip	Webster, John
Peare, Thos.	Snyder, Geo. G.	Whitmer, Elias
Rupert, Freak	Sunderland, Aseph	Yoder, Adam
Rupert, Kennedy		

September registry.

Blackburn, A. S.	Mahoffey, E. M.	Sunderland, J. E.
Cochran, Sam'l	Nickodemus, T. A.	Sheridain, John
Ivert, James	Shisley, Milton	Taylor, Robt. E.
Mossop, Frank	Shisley, William T.	

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do certify, after comparison and examination thereof, that the foregoing and within pages contain a true copy and correct transcript of the registry list of voters of and for Bell Township, as fully and particularly as the same remain on file in the said office of the county commissioners, as made for and containing the list of voters for the election held 5th November, A. D. 1878, in said township of Bell, and that there is no other registry list for said election for said township on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of the county of Clearfield this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT M.

*Register of voters residing within the election district of Chest Township,
Clearfield County, Pa., for the year 1878.*

Addleman, Jno.	Freeman, Jas.	McMasters, G. B.
Ayers, Algers	Fishel, Danl.	McEwen, Easen
Ames, Joseph	Fraley, Fred.	McGawry, Anthony
Bloom, Lorenzo	Fry, Daniel	Markle, Jones
Barto, Edward	Gallaher, Wm.	McGawry, William.
Beels, Stephen	Gilligan, Patrick	McGawry, Jno. of A.
Baker, Lewis	Gallaher, Wm.	Penington, Isaac
Bush, Lee	Gallaher, J. W. S.	Penington, Jno.
Breth, J. A.	Horn, Wright	Penington, R., sr.
Barrett, A. F.	Hazelton, Wm.	Penington, Aaron,
Baker, T.	Harrison, Jas.	Pierce, Perry
Barto, W. F.	Hurd, H. H.	Penington, R., jr.
Barrett, Brown	Hockenberry, Geo.	McCully, Marrion
Bennett, Henry	Hagy, Adam	McGawry, Paul
Byers, Saml. M.	Hockenberry, Jno.	McGlaughlin, S.
Bennett, Crist.	Hockenberry, Wm.	McGawry, Hugh
Bennett, Saml.	Hockenberry, N.	McCully, Frank
Breth, Joseph	Hopkins, Wm.	McGawry, J. J. of W.
Bennett, Lewis	Hurd, Michael	McCully, Matt.
Barto, Harrison	Hicks, Ira	McCardee, A. D.
Breth, J. L.	Hurd, W. H.	McQuilken, Jno.
Breth, W. B.	Holds, Gust.	Michaels, J. P.
Bloom, Lafe.	Hurd, Jno.	McMasters, E. P., sr.
Bishop, Alfred	Irish, Austin	Moore, C. T.
Barrows, William	Johnson, Jos.	Miles, Geo.
Barrett, William	Joyce, Geo.	McGawry, Math.
Curry, James	Kitchen, J. D.	McCord, Newton
Conley, John	Killian, Lawrence	McGawry, R. H.
Curry, Austin	Kitchen, Wm.	McGawry, Ed., jr.
Connelly, Thos.	Kitchen, Andrew	McGawry, W. C.
Carson, Danl.	Kitchen, T. W. R.	McGawry, W. H.
Charleton, Wm.	Kitchen, J. D. C.	Penington, Jacob, sr.
Campbell, Eli	Kitchen, H. N.	Penington, H. of R.
Dunbar, Robt.	Kitchen, J. R.	Penington, H. of J.
Dunbar, Eli	Kitchen, J. Z.	Penington, Simon, sr.
Dunbar, T. F.	Klinger, Benj.	Penington, Joshua, of J.
Davidson, Jas.	King, Jno.	Penington, Jacob, jr.
DeWitt, Al.	Kitchen, James	McGawry, David
Dunbar, J. N.	Letters, Michael	McKee, Joseph
Egler, W. H.	Lamborn, J. W	Millino, Rev.
Evans, Wm.	Leberine, Levi	McMasters, Wm.
Freeman, Jonas	Lingafelter, Jacob	McCully, W. S.
Fishel, John	Lindrey, Rufus	McDonald, Alfred
Fulton, Silas	Lewis, Robt	Montgomery, Jno.
Fraley, Andrew	Lindrey, Wm	Miller, Leonard
Freeman, Ranson	Lewis, Reuben	McGawry, Robt.
Fowler, Robert	McCune, James	Michales, David
Fraley, Jno.	Montgomery, S.	McCully, Sam.
Fishel, Geo.	McCord, John	McCully, Alfred
Fry, Jona.	McCully, Jno.	McCully, G. R.
Freeman, S.	Morrison, Rich.	Neff, Jacob

Neff, Jno. H. of J. W.	Snyder, Wm.	Westover, Jos., jr.
Noel, Jno.	Stephens, O. W.	Wood, Benj.
Neff, Isaiah	Snyder, Jno.	Wood, Wilson
Penington, Simon, of R.	Storm, James	Westover, Jno. M.
Pierce, Henry	Stephens, Al.	White, Hampt.
Penington, Jno., jr.	Shandrows, Wm.	Wood, Thomas
Penington, Jacob, jr.	Snyder, Jonas	Westover, Henry
Pentice, Jacob	Straw, Jno.	Westover, James, sr.
Robison, George	Summerville, Blair	Westover, Tobias
Robison, John	Summerville, Sam'l	Westover, Lewis
Roland, Wm.	Spooner, Wm.	Westover, John J. I.
Roland, Jona.	School, Jacob	Westover, Silas
Roland, Soloman	Strino, Alfred	Westover, James
Roland, Abram	Tozer, Solomon, jr.	Williams, Anson
Rainey, Robt., jr.	Thurston, Moses	Wooliver, Frank
Rainey, Jno.	Tozer, J. M.	Westover, S. M.
Rainey, Isaac	Tozer, Sol., sr.	Wallace, Robt.
Roland, Jacob	Thurston, E. B.	Weaver, Emanuel
Roland, Ames	Thurston, Al.	Westover, Sam'l
Read, Jno. W.	Verns, Sarah	Wood, Edward
Rorabaugh, Isaiah	Tucker, Giles, jr.	Westover, Sam'l
Rainey, Dan'l	Tozer, Jno., of B.	Wood, James
Stephens, Calvin	Thurston, Billdad	White, Paul
Straw, Saml.	Wagoner, Jno.	Westover, J. H.
Slauter, Saml.	Witherow	Westover, J. C.
Smead, Jno.	Westover, Enos	Westover, W. A.
Summerville, Wm.	Wood, Israel	Westover, Ellis
Selfrage, Dan'l	Wood, Wm.	Wills, Scott
Stephens, Theo.	Westover, Wm.	Wood, Charles
Siberts, Wm.	Westover, Jno.	Yeoman, Abram
Shook, Jos.		

September registry.

1 John Killian.	5 Fisbee, James	8 Woods, Frank
2 Otes, Goson	6 Wilson Hurd.	9 Ira Foot.
3 William Wagoner	7 McMasters, Charles	10 Osten Woods.
4 Neff, John		

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do hereby certify that after comparison and examination thereof, that the foregoing and within pages contain a true copy and correct transcript of the registry list of voters of and for Chest Township, as fully and particularly as the same remains of file in the said office of the county commissioners, as made for and containing the list of voters for the election held on the 5th November, A. D. 1878, in said township of Chest, and that there is no other registry list for said election for said township on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said commissioners of the county of Clearfield, this 17th day of March, A. D. 1879.

[SEAL.]

JOHN W. HOWE, *Clerk.*

EXHIBIT N.

*Register of voters residing within the election district of Jordan Township,
Clearfield Co., Pa., for the year 1878.*

Alger, Ezra	Rockerd, Jos. H.	Smith, Michael
Baley, Daniel	Rea, James	Strong, Jos. S.
Baley, Samuel	Rea, Robt.	Smome, David
Barrett, Herman	Rea, Thomas	Summers, Peter
Bloom, Layfayette	Robison, Thomas	Swan, Anson, jr.
Bloom, W. T.	Rea, John	Sebolt, Lewis
Bloom, Isaac	Robison, Wm.	Thurston, Jno.
Barrett, Andrew	Raney, James	Thurston, Orange
Bloom, L. J.	Smith, Henry	Thurston, Jas. H.
Bolinger, G. W.	Smith, Thomas	Temple, Jno. T.
Baird, E. C.	Strong, P. S.	Thompson, Jno.
Bloom, Jos. L.	Straw, Hiram	Mays, W. P.
Baker, Conrad	Strong, Thomas	McCullough, P. E.
Bloom, Abram	Swan, Jno. sr.	Mays, Milton
Bishop, G. W.	Swan, Jno. jr.	McCormick, Jno.
Burch, F. M.	Swan, Henry	McMurrey, Jno.
Comfort, Ed.	Strong, Charles	Michaels, David
Curry, W. S.	Straw, Wilson	McNeal, Smith
Curry, Ed., sr.	Straw, Arthur	McNeal, Sandford
Curry, Ed., jr.	Johnson, John C.	Nolan, Martin
Caldwell, Isaiah	Johnson, D. W.	Patterson, Joseph
Curry, Sylvester	Johnson, Calvin	Patterson, Peter
Cresswell, E. F.	Leonard, Robert	Patterson, Robt.
Campbell, D. H.	Lewis, Chas. H.	Patterson, George
Curry, Jas. F.	Lamborn, Josiah	Patterson, Hezekiah
Curry, Wm.	Leonard, John	Patterson, Jas. R.
Courtney, Curtis	Lewis, Thomas	Patterson, R. L.
Dillon, Oliver	McKeehan, Saml.	Patterson, John
Eagler, Abram	McNeal, Jos.	Pierce, Geo.
Eagler, Wm., sr.	McCracken, Jno.	Pierce, John
Easton, Robert	McKeehen, James	Thurston, Wm.
Eagler, Jeff.	McAlister, Jno., sr.	Witherow, Henry
Gilligan, Michael	McAlister, Jno., jr.	Weis, Enoch
Gilligan, Joseph	McNeal, James, jr.	Weis, D. W.
Hunter, Robert	McNeal, Jno.	Weis, William
Hunter, John	McNeal, Isaac, sr.	Williams, Jno.
Hunter, James	Mays, Ezra	Wymer, Sylvester
Hunter, Jno. H.	McCardell, Patrick	Wilson, John
Holton, Justin	Mays, Geo.	Witherow, Sam'l
Hockenberry, David	Straw, G. H.	Wymer, Peter
Harris, Wm.	Schœning, Wm.	Wise, B. F.
Johnson, David	Swan, Anson, sr.	Witherow, Archie
Johnson, Jas. R.	Swan, B. F.	Wise, J. C.
Jordan, Archie	Smith, James	Wiley, J. D.
Johnson, R. J.	Smith, Mathew	Withenight, Sharon
Johnson, R. M.	Smith, Frank	Wise, W. D.
Johnson, Jas. W.	Swan, J. H.	Young, W. A.
Jordan, W. D.		

September registry.

Dillon, John A.	Harkins, John	Wimer, James
Haley, Edward	Thomas, Benjamin	Washburn, John

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do certify that the within pages contain a true copy and correct transcript of the registry list of votes of and for Jordan Township, as fully and particularly as the same remain of file in the said office of the county commissioners as made for and containing the list of voters for the election held 5th November, A. D. 1878, in said township of Jordan, and that there is no other registry list for said election for said township on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of the county of Clearfield this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT O.

Register of the qualified voters residing within the election district of Knox Township, Clearfield County, Pennsylvania, 1878.

- | | |
|-----------------------|---------------------|
| 1 Arnold, Jacob | 35 Curry, Weldy |
| 2 Arnold, Geo. | 36 Coder, W. D. |
| 3 Arnold, Wm. | 37 Coffman, Pie |
| 4 Alexander, Jno. D. | 38 Cox, John |
| 5 Bowman, Daniel, jr. | 39 Dunlap, J. R. |
| 6 Bloom, Albert | 40 Dunlap, W. A. |
| 7 Bloom, Jerad A. | 41 Davis, Levi |
| 8 Bloom, Geo. | 42 Dunlap, Thos. J. |
| 9 Bloom, Martin | 43 Dunlap, J. R. |
| 10 Bloom, Conrad | 44 Durkey, Geo. |
| 11 Baker, Conrad | 45 Davis, Jno. |
| 12 Baughman, Jno. | 46 Erhard, Philip |
| 13 Bell, G. W. | 47 Erhard, Joseph |
| 14 Barrett, Danl. H. | 48 Erhard, George |
| 15 Beaman, D. W. | 49 Erhard, Lewis |
| 16 Beaman, Dent | 50 Erhard, Enoch |
| 17 Bloom, L. C. | 51 Erhard, Peter |
| 18 Bowman, Geo. | 52 Erhard, David |
| 19 Bloom, Jno. C. | 53 Erhard, Alvin |
| 20 Bloom, Enos | 54 Fern, Bernard |
| 21 Bloom, Alexander | 55 Fox, Warren B. |
| 22 Bloom, Jos. R. | 56 Fox, John |
| 23 Barton, M. J. | 57 Fink, Jacob |
| 24 Bloom, D. P. | 58 Farley, Frank |
| 25 Bloom, Alfred | 59 Fureman, Jno. C. |
| 26 Bowman, Daniel | 60 Gantz, John |
| 27 Bloom, J. C. | 61 Hunter, Henry |
| 28 Bloom, Cutis | 62 Hickok, A. L. |
| 29 Caldwell, Reuben | 63 Hower, Sam'l S. |
| 30 Cathcart, James | 64 Hickok, H. M. |
| 31 Cathcart, W. M. | 65 High, John, jr. |
| 32 Cox, Wm. | 66 Hickok, J. M. |
| 33 Coder, John | 67 Hunter, R. C. |
| 33 Cathcart, D. A. | 68 Hickok, John |
| 34 Curry, Daniel | 69 Hugar, Francis |

- | | |
|-------------------------|----------------------------|
| 70 Hickok, Sam'l R. | 114 Rowles, Price A. |
| 71 Holton, Clark | 115 Rea, Sam'l |
| 72 Henchbarger, Simon | 116 Roberts, Benj. S. |
| 73 Henderson, John | 117 Rowles, H. F. |
| 74 Henderson, Wm. | 118 Rankin, Sam'l |
| 75 Hunchbarger, E. | 119 Rankin, Wm. |
| 76 Harbaugh, Harry | 120 Rankin, Isaac |
| 77 Jackson, James | 121 Rea, Samuel, sr. |
| 78 Jaret, Joseph | 122 Robins, Lewis C. |
| 79 Kline, Andrew | 123 Rowles, P. R. D. |
| 80 Kelly, J. G. | 124 Richards, Endell |
| 81 Lockett, Wm. | 125 Robinson, Sam'l |
| 82 Lewis, David | 126 Rea, Sam'l, jr. |
| 83 Lewis, R. M. | 128 Smith, David |
| 84 Lloyd, Jeremiah | 129 Stuker, Henry |
| 85 Lewis, J. E. | 130 Snyder, Samuel |
| 86 Lord, Thomas | 131 Sloppy, Christ |
| 87 Lord, Joseph | 132 Sloppy, D. W. |
| 88 Lord, Geo. | 133 Sloppy, Peter |
| 89 Lord, James C. | 134 Sloppy, Philip |
| 90 M'Cracken, Green | 135 Smith, Jas. G. |
| 91 Mokle, Geo. R. | 136 Snyder, David |
| 92 McKee Isaac A. | 137 Straw, Henry D. |
| 93 McKee, J. Irvin | 138 Sloppy, Edward |
| 94 Mays, John | 139 Starr, Peter C. |
| 95 Mays, Peter | 140 Templeton, Thos. B. |
| 96 M'Cracken, Levi | 141 Templeton, Matt. T. |
| 97 Mokle, E. D. | 142 Wise, David P. |
| 98 McCollough, J. W. | 143 Witherow, Wm. |
| 99 McKee, James M. | 144 Witherow, Jno., sr. |
| 100 Mays, David | 145 Wilson, Jas. A. |
| 101 Mays, Isaac | 146 Witherow, Jno. E., jr. |
| 102 McKee, John A. | 147 Walker, Abram |
| 103 McCracken, Thomas | 148 Witherow, Robt. |
| 104 Micheals, O. J. | 149 Witherow, Thos., jr. |
| 105 Morrison, David | 150 Witherow, David |
| 106 Owens, Peter | 151 Witherow, Jas. |
| 107 Patterson, Jno. T. | 152 Witherow, Samuel |
| 108 Patterson, Robert | 153 Wise, W., jr. |
| 109 Patterson, Joseph | 154 Wise, C. Al. |
| 110 Patterson, Geo. | 155 Wise, John |
| 111 Patterson, David | 156 Wise, Edward |
| 112 Rea, Isaac & Joseph | 157 Weber, Henry |
| 113 Robins, Geo. W. | |

September registry.

Bolinger, Geo.	Henderson, Bigler	Miller, George
Erhard, Alfred	Hoover, Emery T.	Smith, James
Hoover, J. T.		

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do certify that after comparison and examination thereof, that

the within pages contain a true copy and correct transcript of the registry list of voters of and for Knox Township, as fully and particularly as the same remains on file in the said office of the county commissioners, as made for and containing the list of voters for the election held 5th November, A. D. 1878, in said township of Knox, and that there is no other registry list for said election for said township on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of the county of Clearfield, this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE,
Clerk.

EXHIBIT P.

Register of the qualified voters residing within the election district of Lawrence Township, Clearfield County, Pennsylvania, 1878.

Autes, Wm. L.	Brooks, Ed.	Caldwell, Jas.
Autes, A. J.	Brown, Perry	Deming, L.
Autes, M. J.	Brown, H. C.	Duff, Charles
Arderly, Jas. M.	Brown, John	Dale, Benj.
Aughenbaugh, Al.	Bloom, Isaiah	Dougherty, Jas., sr.
Arderly, Elijah	Bailer, Jno. K.	Demi, Leo
Appleton, Woods	Bloom, Reuben	Dale, Jno. C.
Aughenbaugh, Geo.	Bloom, A. J.	Daniels, R. E.
Brown, William	Bloom, Herbert	Derrick, Levi
Binner, Michael	Brown, L. C.	Daniels, Wm. S.
Burge, Samuel	Ball, David	Dougherty, Geo., jr.
Brooks, Jno. D.	Butler, Robert	Dale, Jos. H.
Boyd, Robert	Bloom, A. M.	Devinney, Thos. C.
Brown, Lewis	Buck, Rudolph	Dorvitt, Jno.
Brown, Allen	Buck, Alfred	Drèw, Sam'l
Bowman, Jon'd	Brown, A. I.	Dougherty, Jno.
Brown, James	Brown, E. W.	Dougherty, James, jr.
Butler, Jno. D.	Butler, Geo. (of R.)	Derrick, Wm.
Bailey, S. M.	Bender, Henry	Demi, Lewis
Butler, John	Carus, Simon	Devore, D. M.
Brown, Samuel	Carus, Jno. A.	Denning, A. F.
Brown, Clark	Conklin, Jackson	Demi, Fred.
Brown, A. H.	Conklin, Oliver	Dugan, W. A.
Bloom, D. E.	Clyde, Samuel	Duckett, Rich'd
Broches, Wm.	Conklin, Isaac	Ensborough, Wm.
Bell, Samuel	Carter, Geo. W., sr.	Fullerton, Wm.
Bahan Thomas	Campbell, Owen	Fulton, James
Bloom, Lewis C.	Carter, Geo. W., jr.	Fenton, John
Barger, George	Carrick, Eli	Fulton, W. P.
Borst, Michael	Colburn, Geo. N.	Fullerton, Sam'l
Butler, Jno. (of G.)	Conklin, J. L.	Fox, Benjamin
Beers, Miles R.	Cragle, Jacob	Fawver, Jno.
Butler, George	Cameron, Malcolm	Forest, J. C.
Bumgardner, Robert	Conklin, J. R.	Fenton, Emerson
Burger, Julius	Carter, J. T.	Fullington, Charles
Borst, Joseph	Curts, Samuel	Fetzer, Geo. W.
Beamont, W. H.	Condo, W. B.	Fullerton, S. M.
Brown, Ezra	Carus, James	Fulton, S. H.
Beaumont, Jno. D.	Cole, Frank	Fulton, M. T.

Fulton, T. N.	Henry, Warren	Litz, Henry
Fullington, Emerson	Irvin, Jno., sr.	Lawhead, Lafayette
Flegal, Lever	Irvin, Jas., jr.	Lucas Joseph
Fleck, A. M.	Irvin, Wm. T.	McCorkle, Wm. T.
Flegal, Edward	Irvin, B. F.	McGlaughlin, Jno.
Fullerton, Iaiah	Irvin, G. G.	Morgan, Jno. R.
Fausey, H. S.	Irvin, R. S.	Mapes, Wm.
Fulton, Geo. W.	Irvin, Sam'l H.	Mullen, Philip
Fulkerson, Ed. (in Boggs)	Irvin, S. W.	Morgan, W. R.
Gulich, George	Jordan, Joseph	Milligan, W. Z.
Gulich, Jacob	Jordan, S. B.	Moore, A. P.
Gulich, Henry	Johnson, Jno. (col'd)	Mullen, J. F.
Goon, Isaac	Jackson, W. T.	Miller, Westley B.
Green, Robert	Jackson, James	Mitchell, Jno.
Graham, Wm.	Jordan, Jos. W.	Mitchell, D. S.
Gulich, A. H.	Johnson, Geo. S.	Miller, Evans
Gearhart, D. H.	Koozer, Daniel	McPherson, Thomas
Gulich, L. D.	Kramer, Henry, sr.	Mead, Henry
Gulich, L. P.	Kline, Jno. G.	Marshall, J. M.
Gulich, M. L.	Koozer, Samuel	McMullen, Joseph
Gulich, B. D.	Kramer, S. E.	Merrell, O. B.
Gulich, I. G.	Kramer, Henry, jr.	McMullen, D. B.
Gulich, Eugene	Kramer, A. G.	McBride, J. I.
Gray, David	Kline, Solomon	McLaughlin, Jno., jr.
Gearhart, G. S.	Kramer, M. S.	Maddy, Jno.
Gray, James A.	Kramer, T. J.	McBride, Jno. A.
Graham, F. H.	Kramer, Ira J.	McPherson, J. L.
Graham, A. C.	Kline, W. B.	McPherson, Jno. H.
Gardner, P. J.	Krise, Hugh	Mead, W. S.
Graham, A. H.	Krise, Perry	Mead, Frank
Glob, Jno.	Kline, G. R.	Manahan, E.
Gearhart, Peter	Lender, Samuel	Miller, M. H.
Hoyt, Jno. S.	Logan, Geo. B.	Milligan, James
Hall, Geo. H.	Lanich, Thomas	Moore, I. G.
Hoover, Jacob	Lawhead, Robert	Moore, W. H.
Hoover, Wm. M.	Lumadule, W. J.	Mullen, Hugh
Heisey, Jno. B.	Lytle, Jno. B.	Morgan, Jas. H.
Hinkle, P. R.	Lawhead, Zeb.	Montier, M.
Hancock, J. W.	Libbit, Jno.	McCullough, Jas. M.
Hackman, Reuben	Lewis, Dennis	Markle, Henry
Huston, James	Lawhead A. G.	McGuire, Michael
Hoyt, Abram	Lewis, David	McCool, Wm.
Humphrey, Abram	Libbit, Geo.	McCorkle, Robert
Hess, Alvin	Lawhead, Jno.	Miller, Wm. H.
Howe, Jno. W.	Lawhead, Newton	Mapes, M. V.
Henderson, James	Lanich, H. E.	Maines, Daniel
Haepter, Jacob	Lansberry, Wm.	Miller, Wm. H., jr.
Hollinshead, Thos.	Lawhead, Nathan	Maines, Jno.
Hutton, John	Lanich, Ellis	Mitchell, Jas. (of R.)
Hemphill, Thos. W.	Lanich, L. A.	Norris, Jas. S.
Hauey, Austin	Leonard, Thomas	Nicholls, Thomas
Halsey, C. H.	Lawhead, N., sr.	Nebgin, Peter
Harrison, S. S.	Lydick, Cyrus	Norris, C. B.
Hoover, F. C.	Lanich, Howard	Norris, Geo. L.
Hutton, Anthony	Lawhead, Milton	Nivling, D. G.
Hayes, W. R.	Litz, Wm.	Nicholls, M. A.

Norris, Westley
 Owens, P. A.
 Owens, Joseph
 Owens, Robert
 Orr, Hugh
 Ogden, Wm., sr.
 Ogden, Zenas
 Ogden, Abram
 Ogden, Zack
 Owens, Jos. W.
 Owens, M. V.
 Ogden, A. L.
 Orr, Geo. W.
 Ogden, Henry
 Ogden, Jona.
 Owens, M. J.
 Owens, Denuis
 Owens, Hilborn
 Ogden, H. R.
 Owens, W. B.
 Ogden, B. J.
 Ogden, Geo. W.
 Owens, Jno. W.
 Orr, Allen
 Owens, Wm.
 Ogden, J. E.
 Ogden, Wm. A.
 Orr, James
 Ogden, D. H.
 Owens, Milton
 Powell, Jno.
 Parks, Jno. R.
 Passmore, Harvey
 Parks, Jno. A.
 Plympton
 Peoples, N. B.
 Port, W. S.
 Plymton, Frank
 Reed Jno. A.
 Reese, Arthur
 Ralston, Thomas
 Rowles, M. R.
 Read, Jno. C.
 Read, Otto
 Read, W. P.
 Rowles, H. F.
 Rowles, Taylor, jr.
 Read, J. R.
 Read, Jordan
 Read, W. S.
 Read, Alex.
 Read, Miles
 Rowles, G. W.
 Read, Amos
 Raker, Geo.
 Read Jno. J.

Read, Alex., sr.
 Read, Wm. A.
 Read, Matthew
 Rowles, Levi
 Read, J. M.
 Rishell, Lewis
 Read, Jackson
 Rowles, S. M.
 Read, R. W.
 Rolls, Thomas
 Read, A. A.
 Rishell, W.
 Rowles, J. H.
 Read, Jas. S.
 Rowles, C. P.
 Reams, W. E.
 Rowles, Geo. W.
 Raddebaugh, W. H.
 Rowles, Taylor, sr.
 Read, J. Maus
 Rowles, Ephraim
 Reese, Philip
 Baudinger, Joseph
 Read, Frank B.
 Read, M. W.
 Rowles, L. C.
 Rodgers, E. C.
 Read, H. J.
 Rankin, A. G.
 Read, J. Blair
 Read, Frank
 Read, E. W.
 Shaw, J. B.
 Spackman, Wm.
 Shaw, Richard
 Spackman, Thomas
 Shaw, A. H.
 Swales, Isaac
 Shaffner, R. J.
 Schryver, Jno. G.
 Schryver, Wm. T.
 Snyder, Geo. W.
 Shugart, Israel
 Stafford, Christ.
 Showers, Joseph S.
 Swartzworth, Rich'd
 Spackman, W. T.
 Spackman, R. S.
 Smith, Jno.
 Shaw, Jno., jr.
 Shaw, E. F.
 Smith, Thomas
 Shaffner, H. C.
 Shaffner, Lewis C.
 Spackman, W. A.
 Shaffer, Charles

Shank, Sam'l P.
 Shaw, R. E.
 Spackman, Jas.
 Smith, Jno. J.
 Smith, Jno. M.
 Stage, Isaac
 Snyder, Harry
 Shaw, H. B.
 Shaw, W. J.
 Swales, James T.
 Spackman, Alvin
 Spackman, Adams
 Stern, James
 Shugert, Wm.
 Smith, Jno. I.
 Shugert, A. B.
 Shieffer, Harmon
 Swartsworth, Alfred
 Swales, W. I.
 Smith, W. F.
 Smith, Jno. C.
 Shank, Jno. F.
 Taylor, M. J.
 Tate, Geo. P.
 Tate, W. P.
 Thompson, Rufus
 Tate, Wm.
 Tate, Jno. W.
 Thompson, J. W.
 Thompson, Jos. L.
 Trot, John
 Thorn, Ashley
 Tate, Abraham
 Thompson, R. H.
 Thompson, Laffayette
 Tate, Cortes
 Tate, Wm. E.
 Trude, N. A.
 Wrigley, Robert
 Welch, Frank
 Woods, Joseph
 Wright, Jno. D.
 Woods, R. E.
 Whaling, Jno.
 Woods, D. S.
 Watson, Joseph, sr.
 Wallace, M. F.
 Watson, F. S.
 Wallace, Robert
 Welch, Daniel
 Witherow, J. D.
 Watson, A. G.
 Wheeler, Chas.
 Welch, A. C.
 Wood, Perry
 Walker, Chancey

Wrigley, Jno. S.
 Wilhelm, Wm.
 Welch, Geo.
 Watson, S. W.
 Whipple, Spencer

Williams, Ed. (col'd.)
 Williams, J. W.
 Wallace, Alex
 Wilson, Rev. W. S.

Young, Jno. F.
 Yahn, J. L.
 Yeager, B. B.
 Zeigler, Henry

September registry.

Alleman, A. B.
 Bell, W. C.
 Ball, Ebenezer
 Fox, John T.
 Fawver, John
 Gray, W. J.
 Henderson, Chas.
 Henry, Mathew
 Henry, Wesley
 Kreibel, John

Libbet, John
 McGinley, C. R.
 McDwitt, James
 Mullen, James
 Morgan, Wm. M.
 McCracken, Wm.
 Mead, Jno. H.
 Noll, Geo.
 Robbins, N. L.
 Read, J. R., jr.

Runaker, John
 Shaw, Jno. S.
 Shilling, Jos.
 Schreyver, A. T.
 Tolan, Bernard
 Wrigley, Allen
 Walters, Elijah
 Welker, Wm.
 Weiser, Henry
 Wallace, J. W.

STATE OF PENNSYLVANIA,
County of Clearfield ss :

I, Jno. W. Howe, clerk to the commissioners of Clearfield County, Pennsylvania, and as such having custody of the seal of said county, do hereby certify that after comparison and examination thereof that the foregoing and within pages contain a true copy and correct transcript of the registry list of voters of and for Lawrence Township, as fully and particularly as the same remains of file in the said office of the county commissioners as made for and containing the list of voters for the election held on the 5th November, A. D. 1878, in said township of Lawrence, and that there is no other registry list for said election for said township on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of Clearfield County this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE.

EXHIBIT Q.

Register of the qualified voters residing within the election district of Penn Township, Clearfield County, Pennsylvania, 1878.

Arthurs, James
 Arthur, Perry
 Arthurs, C. W.
 Bell, Grier
 Bonsall, John
 Bloom, Edward
 Bloom, Mason G.
 Burgorn, John
 Bloom, P. G.
 Bell, Emery
 Clark, Jas. B.
 Cleaver, Chas.
 Cochran, Wm.
 Conrad, J. B.
 Cleary, Geo. W.

Cochran, Isaac
 Derrick, Sam'l
 Davis, Joseph
 Davis, E. M.
 Danver, Rich'd J.
 Dixon, Thomas
 Durnall, David
 Daley, Patrick
 Doughman, Gideon
 Danver, Wm.
 Derrick, Wm. G.
 Dailey, Jas. J.
 Doughman, Jacob
 Dale, Valentine
 Dailey, H. A.

Danver, Richd.
 Danver, Jno.
 Dernall, Robt. I.
 Derrick, D. D.
 Draucker, Perry
 Danver, Daniel
 Flynn, Wm.
 Fenton, Elisha
 Flynn, M. M.
 Freeman, Wm.
 Farrell, Edwd.
 Freman, Jno. A.
 Hoyt, D. W.
 Hartshorn, Geo.
 Hoover, Ross M.

Helper, Charles	McCune, Jas., jr.	Sharp, D. T.
Hepburn, S. C.	McDonald, Alex.	Spencer, M. S.
Heitzerather, Hardman	McCune, Patrick	Spencer, Jesse T.
Hess, Abram	McCracken, J. N.	Spencer, A. M.
Hess, Latimer	McNeal, Fred.	Spencer, D. G.
Hepburn, Levi	Moore, Jas. A.	Sharp, Warren
Hepburn, Saml. T.	Murphy, Adam	Sharp, Clarence
Hepburn, E. W.	Moore, T. W.	Spencer, E. W.
Hahn, James	Murphy, F. J.	Spencer, E. F.
Hahn, Wm.	Moore, T. E.	Spencer, Jesse W.
Henderson, Alex.	Myster, Abram	Spencer, Edward A.
Hess, Jacob	McCracken, Frampton	Spence, Amos
Johnson, Wm. F.	Passmore, G. C.	Sharp, Samuel
Keenan, Terance	Peper, Peter	Wall, William
Kirk, Aseph	Pentz, Jno.	Wall, Reuben
Kester, Lewis	Passmore, W. G.	Wall, Thomas
Kirk, Jonathan	Quigley, John	Widemire, Saml.
Keenan, O., jr.	Quigley, James	Widemire, John
Keenan, Owen, sr.	Quigley, Jno., jr.	Wrigglesworth, B.
Kester, Harvy D.	Rowles, Jno. H.	Walls, Miles
Lightner, Micheal	Rowles, Wm.	Walls, E.
McDonald, Geo.	Rafferty, H. P.	Widemire, L. H.
McKeon, Daniel	Rafferty, J. W.	Wall, Jonathan
McDonald, Allen	Rafferty, F. P.	Wall, T. E.
Moore, Andrew	Russell, W. C.	Wall, Isaiah
Moore, Elisba	Rowles, Frank	Wall, James
Murphy, A. J.	Rafferty, Nelson	Wall, E. M.
McKeon, John L.	Rafferty, David	Wilson, Geo.
McKeon, James	Rafferty, Patrick	Wall, Truman J.
Moore, A. C.	Rafferty, Geo.	Walker, Nelson
Moore, Nathan	Spencer, Abram	Wall, Jos. D.
McGovern, Chas.	Spencer, Andrew	Yeager, Henry F.
Miller, James	Spencer, David	Zipbf, Fred.
Moore, W. A.	Stronach, Thos.	

September registry.

Bickle, John	Hanson, Isaac	Long, Alex.
Atcheson, Geo.	Inni, Wm.	McQuarry, Jos.
Degman, Wm.	Kane, Thomas	Mitchell, M. F.
Flenner, Jno.	Keating, John	O'Brine, S. S.
Flenner, Henry	Lee, Albert	Potter, Wilson

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of Clearfield County, Pennsylvania, and, as such, having custody of the seal of said county, do hereby certify that after comparison and examination thereof the within and foregoing pages contain a true copy and correct transcript of the registry list of voters in and for Penn Township, as fully and particularly as the same remains of file in the said office of the county commissioners as made for and containing the list of voters for the election held 5th November, A. D. 1878, in said township of Penn, and that there is no other registry list for said election for said township on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of the county of Clearfield, this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT S.

Assessor's oath under the registry law.

CLEARFIELD COUNTY, ss :

You, Geo. W. Shimel, do affirm that you will support the Constitution of the United States and the constitution of this commonwealth; that you will, as register of your election district, use your utmost diligence to discover, ascertain, and register the names of all qualified voters therein who are, by the laws of this commonwealth, entitled to vote; that you will proceed to strike from the list the name of every person whom you know to have died or removed from the district since the last assessment, or whose death or removal from the same may be made known to you, and to add to the same the name of any qualified voter whom you know to have moved into the same since the last assessment, or whose removal into the same shall be made known to you, and also the names of all who shall make claim to you to be qualified voters therein; and that you will visit every dwelling-house in your district and make careful inquiry if any person whose name is on your list has died or removed therefrom, and if so, to strike the same therefrom; after which you will proceed to make out a list in alphabetical order of all freemen above twenty-one years of age claiming to be qualified voters of your district; and that you will perform your duty as register with honesty and fidelity, according to the laws of this commonwealth, without fear, favor or affection, hatred, malice or ill-will.

GEO. W. SHIMEL,
Assessor.

Sworn and subscribed before me this 19th day of June, A. D. 1878.
J. W. KYLER, *J. P.*

Albert, Edw.	Brine, Anthony	Davis, James
Albert, Geo.	Bowman, Stacy	Everts, J. R.
Albert, Rudolph	Cole, Detrick	Eckley, Jno.
Beers, Thomas	Coulter, Jno.	Farlem, Fenton
Beish, Jno.	Chase, Jno. M.	Flegal, Valentine
Bumbarger, Jacob	Coffey, Jno.	Flegal, Jacob
Bush, Francis	Chase, R. B. C.	Flegal, Geo.
Beish, Isaac	Condo, Wm.	Flegal, David
Brady, W. H.	Dolan, John	Flegal, Martin
Barger, Jacob	Dimeling, Jacob	Flegal, A. K.
Bennehooft, Levi	Dugan, D. H.	Flegal, Gilbert
Bumbarger, Uriah	Dimeling, Jno.	Flegal, David
Beish, Jeff	Dixon, Alex.	Gearhart, Jno. S.
Blovett, Geo.	Dixon, Jno.	Gearhart, Val.
Bowers, Michael	Davis, Geo. W.	Goss, Henry
Bumbarger, Jno.	Dimeling, David	Goss, W. L.
Beers, John	Dixon, Samuel	Gallaher, Wm.
Berry, Charles	Downing, David	Gallaher, James
Butler, Shadrack	Dixon, M. B.	Good, Edward
Bennett, Wm.	Dixon, Adam	Gearhart, Cornelius

Goss, Abram E.
 Gallaher, Geo.
 Guthrie, James
 Good, Francis
 Goss, Wm.
 Gearhart, Jno. W.
 Gearhart, A. C.
 Hess, Geo.
 Hoover, Wilson
 Haney, Miles
 Haney, Jacob
 Hopkins, Isaac C.
 Humnell, Abram
 Hill, Thomas
 Hoover, W. A.
 Hoover, Edw.
 Harris, Wm.
 Hartman, H. P.
 Hess, T. W.
 Hill, Jno. T.
 Honeton, Thomas
 Harris, Alfr. J.
 Hampton, Mathew
 Haney, Recharad
 James, James
 James, George
 Kyler, J. W.
 Kyler, Emery
 Kyler, Frank
 King, Chas.
 Kethcart, J. G.
 Kline, A.
 Lumadue, Al.
 Lambert, Sam'l
 Loop, Sol.
 Louder, Levi
 Lumadue, M. L.
 Litz, Uriah
 Litz, Robt.
 Little, Jno.
 Logan, Jno.
 Loop, Robt.
 Logan, Jos. E.
 Louder, Amos

Lumadue, A.
 Lumadue, Eli
 Lambert, Thos.
 Litz, Rudolph
 Miller, Jno., jr.
 Miller, R. B.
 Meare, James
 Merrett, Berton
 Meare David
 Merrett, Geo.
 Merrett, Nelson
 Miller, Reuben
 McTavish, James
 Merrett, Danl.
 Merrett, Al.
 McClarren, Enoch
 McMartin, Alx.
 McGlaughlin, Wm.
 Merrit, Lipelet
 Newton, Wm.
 Philips, James
 Pickler, Thos.
 Plympton, Elijah
 Peters, W. H.
 Phalon, Wm.
 Richner, Jacob
 Richards, Dan'l
 Rothrock, Jona
 Ross, Jno.
 Ross, Amos
 Ross, A. M.
 Rowe, Philip
 Sloey, Thomas
 Smith, J. H.
 Shunel, G. W. (of H.)
 Smeal, Jacob
 Stone, Jno.
 Shunel, Geo. (of G.)
 Smeal, Dan'l
 Shunel, Jno. B.
 Sloan, Chas.
 Sealey, Levi
 Smeal, Wm.
 Shimel, H. E.

Smeal, Benj.
 Shimel, James
 Salinger, Alex.
 Smeal, Jesse
 Smeal, Harris
 Smeal, Vincient
 Smeal, W. K.
 Smeal, Frank
 Shimel, H. M.
 Shimel, Dan'l
 Stott, Mark
 Snyder, David
 Smith, Jacob
 Smeal, Isaiah
 Scheckly, Gerry
 Shimel, H. A.
 Swob, Wm.
 Smeal, Geo.
 Shirly, David
 Turner, Geo. (of G.)
 Turner, Geo., sr.
 Turner, Jno. H.
 Turner, Ea. S.
 Turner, Zenas
 Thompson, Simon
 Thompson, W. T.
 Twoey, Jno.
 Turner, Lewis
 Warren, N. A.
 Wilsoncroft, Joel
 Waple, Jas. H.
 Wiser, Abram
 Woodsides, T. B.
 Wiser, Porter
 Wiser, Henry
 Wiser, Lindsey
 Wiser, Israel
 Whaple, C. R.
 Washburn, A. B.
 Wiser, Alex.
 Wilsoncroft, A.
 Walters, David
 Williams, Jno.
 Yost, W. R.

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, Jno. W. Howe, clerk of the commissioners of Clearfield County, Pennsylvania, and as such having custody of the seal of said county, do hereby certify that after comparison and examination thereof that the foregoing and within pages contain a true copy and correct transcript of the "registry list" of voters of and for Boggs Township, as fully and particularly as the same remains of file in the said office of the county commissioners as made for and containing the list of voters for the election held on 5th November, A. D. 1878, in said township of

Boggs, and that there is no other "registry list" for said election for said township on file in the said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of the commissioners of the county of Clearfield, this 17th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE,
Clerk.

EXHIBIT S.

Oaths of election officers.

OATH OF JUDGE.

I, N. C. Farwell, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

N. C. FARWELL,
*Judge of the Election District composed of the
Township of Pike, in the County of Clearfield.*

Subscribed and ———, this — day of ———, 187—, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, Lafayette McClure, do solemnly affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

LAFAYETTE MCCLURE,
*Inspector of the Election District composed of the
Township of Pike, in the County of Clearfield.*

Subscribed and sworn, this 5th day of Oct., 1878, before me.

N. C. FARWELL,
Judge.

I, J. S. Holden, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. S. HOLDEN,
*Inspector of the Election District composed of the
Township of Pike, in the County of Clearfield.*

Subscribed and sworn, this 5th day of October, 1878, before me.

N. C. FARWELL,
Judge.

OATHS OF CLEKS.

I, Joseph L. Dale, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOSEPH L. DALE,
*Clerk of the Election District composed of the
Township of Pike, in the County of Clearfield.*

Subscribed and sworn, this 5th day of Oct., 1878, before me.

N. C. FARWELL,
Judge.

I, Z. L. Hartshorn, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elec-

tor shall have voted, unless required to do so as a witness in a judicial proceeding.

Z. L. HARTSHORN,
*Clerk of the Election District composed of the
Township of Pike, in the County of Clearfield.*

Subscribed and sworn this 5th day of Oct., 1878, before me.

N. C. FARWELL,
Judge.

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of the county and State aforesaid, do hereby certify that the within is a true and correct copy of the oaths of officers of Pike Township as it remains on file in said office, and that there are no affidavits of unregistered voters on file in said office for said tow'p.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield, this 15 March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

Oaths of election officers.

OATH OF JUDGE.

I, Allen McDonald, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ALLEN McDONALD,
*Judge of the Election District composed of the
Township of Penn, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

WM. RUSSELL,
Minority Inspector.

OATHS OF INSPECTORS.

I, William Russell, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor

will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. RUSSELL,
*Inspector of the Election District composed of the
Township of Penn, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

ALLEN McDONALD,
Judge.

I, John Freman, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN FREEMAN,
*Inspector of the Election District composed of the
Township of Penn, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

ALLEN McDONALD,
Judge.

OATHS OF CLERKS.

I, A. C. Moore, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. C. MOORE,
*Clerk of the Election District composed of the
Township of Penn, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

ALLEN McDONALD,
Judge.

I, John H. Rowles, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN H. ROWLES,
*Clerk of the Election District composed of the
Township of Penn, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

ALLEN McDONALD,
Judge.

EXHIBIT R.

List of voters.

One copy, together with the tally paper, list of voters, triplicate return sheet, and oaths of judges inspectors and clerks, to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up, and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the house of W. W. Anderson, in the township of Penn, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November, being the fifth day, A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Penn, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

ALLEN McDONALD, [L. S.]
Judge of Elections.

JOHN FREEMAN, [L. S.]
Inspector.

WM. RUSSELL, [L. S.]
Inspector.

Attest:

JOHN H. ROWLES, *Clerk.*
A. C. MOORE, *Clerk.*

1 E. W. Hepburn
2 Wm. M. Rowles
3 T. Keenan
4 Frampton McCracken
5 Richard Danver
6 William Freeman
7 James Arthurs
8 William Russell

9 A. C. Moore
10 Robert Durnell
11 Samuel Widemier
12 John W. Rafferty
13 Geo. W. Cleary
14 Wm. F. Johnson
15 David Durnell
16 John Widemier

- | | | | |
|----|---------------------|-----|-----------------------|
| 17 | Isaiah Wall | 73 | Alexander Long |
| 18 | William Cochran | 74 | Mason G. Bloom |
| 19 | Thomas W. Moore | 75 | George Hartshorn |
| 20 | John H. Rowles | 76 | Wm. A. Moore |
| 21 | Allen McDonald | 77 | John Danver |
| 22 | Hugh P. Rafferty | 78 | John Bickle |
| 23 | Reuben Walls | 79 | Daniel Danver |
| 24 | George McDonald | 80 | Daniel McQuown |
| 25 | D. D. Derick | 81 | Francis P. Rafferty |
| 26 | D. W. Hoyt | 82 | Charles Cleaver |
| 27 | A. J. Murphey | 83 | Michael Dixon |
| 28 | L. H. Widemier | 84 | James McKeown |
| 29 | George Wilson | 85 | John Conrad |
| 30 | Chas. McGovern | 86 | Milton Wall |
| 31 | E. W. Spencer | 87 | Wm. P. Daley |
| 32 | Wm. G. Passmore | 88 | Andrew Moore |
| 33 | Miles Wall | 89 | Grier Bell |
| 34 | Geo. C. Passmore | 90 | John R. Burgoon |
| 35 | John Freman | 91 | Wm. Flynn |
| 36 | T. J. Wall | 92 | Hugh A. Daley |
| 37 | John Quigley | 93 | Andrew Spencer |
| 38 | James Miller | 94 | E. A. Spencer |
| 39 | David Rafferty | 95 | Samuel T. Hepburn |
| 40 | Thos. Wall | 96 | Abraham Myrter |
| 41 | W. K. Danver | 97 | Edward Bloom |
| 42 | Edward Farrell | 98 | James J. Dailey |
| 43 | Wm. G. Derrick | 99 | G. P. Doughman |
| 44 | Michael Lightner | 100 | Patrick Dailey |
| 45 | Peter Piffer | 101 | M. M. Flynn |
| 46 | Samuel C. Hepburn | 102 | Jacob Doughman |
| 47 | Levi H. Hepburn | 103 | Emery Bell |
| 48 | Frank Rowles | 104 | Joseph Wall |
| 49 | James B. Clark | 105 | Ross M. Hoover |
| 50 | Asaph Kirk | 106 | Patrick Rafferty |
| 51 | Owen Keenan | 107 | James Moore |
| 52 | Fred. Zipp | 108 | Samuel Derrick |
| 53 | Jonathan Kirk | 109 | Jesse T. Spencer |
| 54 | David T. Sharp | 110 | Thos. Dixon |
| 55 | Warren Sharp | 111 | Perry Draucker |
| 56 | Charles Helper | 112 | Nathan Moore |
| 57 | John Hess | 113 | Adams T. Murphey |
| 58 | John McKown | 114 | John Reiter or Pents |
| 59 | Daniel Korb | 115 | Hardman Heitzenrather |
| 60 | Latimer Hess | 116 | Wilson Potter |
| 61 | D. C. Sharp | 117 | Nelson Walker |
| 62 | Pheneas G. Bloom | 118 | S. L. Kester |
| 63 | Nilson Rafferty | 119 | Valentine Dale |
| 64 | Owen Keenan | 120 | Alexander McDonald |
| 65 | James Quigley | 121 | William Spencer |
| 66 | Jonathan Wall | 122 | Elisha Moore |
| 67 | E. N. Davis | 123 | F. H. McNeal |
| 68 | Thos. E. Wall | 124 | Jacob Hess |
| 69 | James Wall | 125 | Miles S. Spencer |
| 70 | Richard Danver, jr. | 126 | Amos Spencer |
| 71 | John Quigley, jr. | 127 | John Bonsal |
| 72 | John Flenner | 128 | Jesse W. Spencer |

129 David G. Spencer
 130 Elisha F. Spencer
 131 Abram Spencer

132 J. B. Conrad
 133 Henry Yeager

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a true and correct copy of the lists of voters and the oaths of officers of Penn Township as they remain on file in said office, and that there are no affidavits of non-registered voters on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 28th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

Oaths of election officers.

OATH OF JUDGE.

I, Jno. A. McBride, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required so to do as a witness in a judicial proceeding.

J. A. McBRIDE,

*Judge of the Election District composed of the Township of
 Lawrence, in the County of Clearfield.*

Subscribed and sworn this fifth day of November, 1878, before me.

A. P. MOORE,
Minority Inspector.

OATHS OF INSPECTORS.

I, Thomas McPherson, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election,

and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

THOMAS McPHERSON,
*Inspector of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this fifth day of November, 1878, before me.
J. A. McBRIDE, *Judge.*

I, A. P. Moore, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. P. MOORE,
*Inspector of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this fifth day of November, 1878, before me.
J. A. McBRIDE, *Judge.*

OATHS OF CLERKS.

I, R. J. Shaffner, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. J. SHAFFNER,
*Clerk of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this fifth day of November, 1878, before me.
J. A. McBRIDE, *Judge.*

I, L. C. Bloom, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of voters that shall be given

for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

L. C. BLOOM,
*Clerk of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this fifth day of November, 1878, before me.
J. A. McBRIDE, *Judge.*

Oaths of election officers.

OATH OF JUDGE.

I, John A. McBride, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. A. McBRIDE,
*Judge of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this 5 day of November, 1878, before me.
A. P. MOORE,
Minority Inspector.

OATHS OF INSPECTORS.

I, Thomas McPherson, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this

election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

THOMAS McPHERSON,
*Inspector of the Election District composed of the Township of
Lawrence, in the County of Clearfield.*

Subscribed and sworn this 5 day of November, 1878, before me.

J. A. McBRIDE,
Judge.

I, A. P. Moore, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities ; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

A. P. MOORE,
*Inspector of the Election District composed of the Township
of Lawrence, in the County of Clearfield.*

Subscribed and sworn this 5 day of November, 1878, before me.

J. A. McBRIDE,
Judge.

OATHS OF CLERKS.

I, R. J. Shaffner, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability ; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. J. SHAFFNER,
*Clerk of the Election District composed of the
Township of Lawrence, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

J. A. McBRIDE,
Judge.

I, L. C. Bloom, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the

number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

L. C. BLOOM,

*Clerk of the Election District composed of the
Township of Lawrence, P. T., in the County of Clearfield.*

Subscribed and sworn this 5 day of November, 1878, before me.

J. A. McBRIDE,
Judge.

EXHIBIT Q.

List of voters.

One copy, together with the "tally-paper," "list of voters," "triplicate return sheet," and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up, and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the Arbitration Room (in court-house), in the borough of Clearfield, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Lawrence, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

J. A. McBRIDE, [L. S.]
Judge of Elections.

THOS. M. McPHERSON, [L. S.]
Inspector.

A. P. MOORE, [L. S.]
Inspector.

Attest:

L. C. BLOOM, *Clerk.*

R. J. SHAFFNER, *Clerk.*

1 Rowles, Ephraim
2 Smith, John C.
3 Reed, E. J.
4 Wallace, J. W.
5 Whaling, John
6 Swailes, James T.
7 Lewis, David
8 Green, Robert
9 Howe, John W.
10 Lewis, Dennis
11 Woods, Joseph
12 Hackman, Reuben
13 Thompson, Reuben H.

14 Hemphill, Thos. W.
15 Fullington, Emerson
16 McBride, John A.
17 McPherson, Thomas
18 Robin, A. L.
19 Litz, Henry
20 Smith, John
21 Shaffner, R. J.
22 Koozer, Samuel
23 Snyder, Harry
24 Fenton, John
25 Bloom, L. C.
26 Rishel, Nathaniel

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| 27 Swailes, Isaac | 84 Shaw, Jno. |
| 28 Merrell, O. B. | 85 Carns, Simon |
| 29 Shank, S. P. | 86 Harpster, Jacob |
| 30 McCorkle, W. T. | 87 Kramer, Henry |
| 31 Read, M. W. | 88 Starn, James |
| 32 Read, J. Blair | 89 Butler, John D. |
| 33 Rodgers, C. C. | 90 Lumadue, Wm. J. |
| 34 Thompson, Jos. W. | 91 Meade, Henry |
| 35 Deviney, Thos. | 92 Read, Amos, sr. |
| 36 Antes, A. J. | 93 Read, J. M. |
| 37 Beers, Miles | 94 Read, J. R. |
| 38 Moore, A. P. | 95 Wrigley, Robert |
| 39 Jackson, J. D. | 96 Wallace, Robert |
| 40 Kline, W. B. | 97 Rowles, H. F. |
| 41 Owens, W. B. | 98 Conklin, Jack |
| 42 Fullerton, Isaiah | 99 Fulton, James |
| 43 Owens, Hilburn | 100 Hersey, John B. |
| 44 Thomson, J. W. | 101 Peoples, N. B. |
| 45 Flegal, Edward | 102 Peoples, Jno. |
| 46 Ogden, A. L. | 103 Wright, J. D. |
| 47 Kramer, A. G. | 104 Shaw, Emmerson |
| 48 Ogden, W. A. | 105 Whipple, Spencer |
| 49 Brown, Clark | 106 Morgan, Jas. H. |
| 50 Hoyt, John S. | 107 Segar, Henry |
| 51 Schryver, A. J. | 108 Henkle, P. R. |
| 52 Flegal, Lever | 109 Ogden, Harry D. |
| 53 Fauzey, Cyrus | 110 Dougherty, James, sr. |
| 54 Wallace, M. F. | 111 Dougherty, John |
| 55 Lender, Samuel | 112 Rowles, Thos. |
| 56 Young, John F. | 113 Montier, Michael |
| 57 Wilson, W. Scott | 114 Bumgarner, Robert |
| 58 Fenten, Emerson | 115 Graham, W. |
| 59 Ardery, Elija | 116 Rowles, Levi |
| 60 Norris, Clark B. | 117 Reed, J. S. |
| 61 Wheeler, Daniel | 118 Smith, Thomas |
| 62 Fauver, John, jr. | 119 Ogden, Zach. |
| 63 Owens, Wm. | 120 Clyde, Samuel |
| 64 Irwin, F. B. | 121 Parks, John A. |
| 65 Cramer, Samuel | 122 Rowles, L. C. |
| 66 McGlaughlin, Jno., sr. | 123 Rowles, Samuel M. |
| 67 Bailey, Samuel | 124 Welch, Daniel |
| 68 Miller, West B. | 125 Taylor, M. J. |
| 69 Read, Miles | 126 Welch, Frank |
| 70 McGlaughlin, Jno., jr. | 127 Lansbery, William |
| 71 Powell, Jno. | 128 Milligan, W. Z. |
| 72 Norris, Geo. | 129 Bowman, John |
| 73 Rowles, Taylor, sr. | 130 Kramer, J. J. |
| 74 Antes, W. L. | 131 Dougherty, Jas. W. |
| 75 Redinger, Joseph | 132 Markle, Henry |
| 76 Bloom, W. Sloss | 133 Read, John J. |
| 77 Parks, Jno. R. | 134 Smith, A. C. |
| 78 Bloom, H. | 135 Gearhart, Peater |
| 79 Tate, Geo. P. | 136 Butler, George, sr. |
| 80 Reed, Alex. jr. | 137 Read, Alexander, sr. |
| 81 Owens, Jos. | 138 Beiler, John K. |
| 82 Brown, Jno. | 139 Thompson, Lafayette |
| 83 Brown, H. C. | 140 Spackman, James |

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| 141 Hutton, Anthony | 197 Rowles, C. P. |
| 142 Norris, James S. | 198 Staphord, Christ |
| 143 Norris, Reuben A. | 199 Swartzworth, Richard |
| 144 Owens, M. V. | 200 Irvin, Samuel |
| 145 Kline, Jacob F. | 201 Tate, W. E. |
| 146 Mullen, Warren | 202 Brown, Samuel |
| 147 Mullen, Jas. | 203 Jordon, Joseph |
| 148 Brown, Jas. | 204 Ardery, James M. |
| 149 Brown, Wm. | 205 Spackman, Wm. |
| 150 Humphrey, Abram | 206 Fulton, W. P. |
| 151 Bloom, A. M. | 207 Hancock, I. W. |
| 152 Gulick, L. P. | 208 Read, Jordon |
| 153 Duff, Charles | 209 Bloom, Geo. Dallis |
| 154 Ogden, Abram | 210 Wrigley, Allen |
| 155 Logan, Geo. B. | 211 Bloom, David E. |
| 156 Derrick, Levi | 212 Ogden, Jont |
| 157 Jordan, S. B. | 213 Rawlston, Thomas |
| 158 Dorritt, Jno. | 214 Hess, Alvin |
| 159 Rowles, J. H. | 215 Gulich, Geo. |
| 160 Shaw, J. B. | 216 Read, J. Mansfield |
| 161 Hall, Geo. | 217 Beaumont, W. H. |
| 162 Morgan, W. R. | 218 Berge, Samuel |
| 163 Kline, Geo. R. | 219 Ogden, Wm., sr. |
| 164 Wiser, Henry | 220 Mitchell, James |
| 165 Brown, A. I. | 221 Tate, Abram |
| 166 Brown, Elem W. | 222 Nichols, M. J. |
| 167 Brown, Perry | 223 Dale, Benj. |
| 168 Reese, Philip | 224 Ogden, G. W. |
| 169 Huston, James | 225 Spackman, Thos. |
| 170 Ledick, Cyrus | 226 Read, A. A. |
| 171 Gulich, Jacob | 227 Read, W. P. |
| 172 Zohn, J. L. | 228 Lawhead, Robert |
| 173 Haney, Austen | 229 Owens, P. A. |
| 174 Orr, Geo. | 230 Dale, Jno. C. |
| 175 Brown, L. C. | 231 Norris, Westley |
| 176 Read, John C. | 232 Schryver, Wm. T. |
| 177 Bloom, I. T. | 233 Spackman, R. S. |
| 178 Fenten, T. N. | 234 Campbell, Owen |
| 179 Dougherty, Jno., sr. | 235 Hutton, John |
| 180 Johnson, John (col.) | 236 Ogden, Henry |
| 181 Maddy, Jno. | 237 Lawhead, Nathan |
| 182 Brown, Allen | 238 Owens, M. J. |
| 183 Fulkerson, Edward | 239 Alleman, A. B. |
| 184 Fullington, Charles | 240 Read, W. S. |
| 185 Shaw, Richard | 241 Fulton, Geo. A. |
| 186 Rishel, Lewis | 242 Buck, Rudolph |
| 187 Conklin, Isaac | 243 Fulton, S. H. |
| 188 Reed, Matthew | 244 Beaumont, Jno. D. |
| 189 Demi, Lee | 245 Morgan, Jno. R. |
| 190 Conklin, Oliver | 246 Watson, Joseph, sr. |
| 191 Reames, Wm. | 247 Tate, W. P. |
| 192 McBride, Irvin | 248 Coleburn, Geo. |
| 193 Hoover, Jacob | 249 Radebaugh, Wm. |
| 194 Owens, Robert | 250 Cragle, Jacob |
| 195 Henderson, James | 251 Manahan, Eph |
| 196 Conklin, R. J. | 252 Leonard, Thomas |

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| 253 Smith, Wm. | 309 Conklin, J. L. |
| 254 Showers, Jos. | 310 Port, W. S. |
| 255 Read, Josiah R., jr. (age.) | 311 McMullen, Joseph |
| 256 Kirts, Samuel | 312 Tute, Thomas (age). |
| 257 Lawhead, N. O. | 313 Bell, Samuel |
| 258 Read, R. W. | 314 Shaw, Eph |
| 259 Cameron, Malcom | 315 Butler, Robert |
| 260 Read, Jno. A. | 316 Dale, James H. |
| 261 Kline, Solomon | 317 Brosius, Wm. |
| 262 Denning, Leander | 318 Brinton, Job |
| 263 Fenton, M. T. | 319 Jackson, Wm. |
| 264 Spackman, W. A. | 320 Spackman, Wm. T. |
| 265 Noll, Geo. | 321 Lanach, H. E. |
| 266 Miller, W. H. | 322 Rowles, Geo. W. |
| 267 Walker, C. | 323 Rowles, Geo. W. |
| 268 Goon, Isaac | 324 Kline, John G. |
| 269 Butler, John | 325 Ogden, J. B. |
| 270 Welch, Geo. | 326 Mullen, James |
| 271 Gearhart, Burt | 327 Mullen, Philip |
| 272 Denning, A. F. | 328 Hoover, Wm. |
| 273 Fullerton, Wm. F. | 329 Mead, Jno. H. |
| 274 Mitchell, John | 330 Gulich, A. J. |
| 275 Nivling, D. G. | 331 Gulich, L. D. |
| 276 Mapes, M. V. | 332 Stage, Isaac |
| 277 Moore, W. H. | 333 Watson, F. S. |
| 278 Toolin, B. | 334 Watson, Alex. (age). |
| 279 Irvin, T. W. | 335 Mitchell, D. S. |
| 280 Halsey, C. H. | 336 Carter, Abram |
| 281 Hoyt, Abram | 337 Carnes, John |
| 282 Ogden, H. R. | 338 Primpton, Frank |
| 283 Boyd, Robert | 339 Lawhead, A. G. |
| 284 Wheeler, C. M. | 340 McCorkle, Robert |
| 285 Bell, W. C. | 341 McGinley, C. R. |
| 286 Lawhead, Milton | 342 Gray, James A. |
| 287 McMullen, D. B. | 343 Fullerton, Wm. |
| 288 Antes, M. G. | 344 Lanach, Thos. |
| 289 Tate, Wm., sr. | 345 Lanach, H. I. |
| 290 Schryver, Jno. G. | 346 Ogden, Z. L. |
| 291 Orr, Allen A. | 347 Mullen, Hugh |
| 292 Fleck, A. M. | 348 Gulich, Henry |
| 293 Read, Jno. W. | 349 Lanich, L. A. |
| 294 McCracken, Wm. | 350 Lytle, Jno. B. |
| 295 Shaffner, L. C. | 351 Shaw, John H. (age). |
| 296 Welch, A. C. | 352 Carter, Geo. W., sr. |
| 297 Orr, James | 353 Carter, Geo. A. |
| 298 Bloom, Reuben | 354 Mapes, Wm. |
| 299 Brooks, John | 355 Watson, A. G. |
| 300 Gearhart, G. S. | 356 Gulich, A. H. |
| 301 McPherson, J. L. | 357 Gulich, Z. G. |
| 302 Koozer, Daniel | 358 Daniel, R. E. |
| 303 Williams, Edward (col.) | 359 Jordon, Joseph W. |
| 304 Reese, Arthur | 360 Owens, Dennis |
| 305 Robert, Michael | 361 Shaw, H. B. |
| 306 Dougherty, Geo. | 362 Owens, Rob. B. (age) |
| 307 Lawhead, Newton | 363 Owens, Milton |
| 308 Irvin, R. S. | 364 Randecker, John |

365 Daniel, W. S.	378 Gearheart, D. H.
366 Hollinghead, Thos.	379 Shugarts, Wm.
367 Lanich, Ellis	380 Shaffner, Henry
368 Toot, John	381 Shugarts, Israel
369 Litz, Wm.	382 Passmore, Harvey
370 Kramer, M. S.	383 Brown, Lewis
371 Raker, Geo.	384 Swailes, Wm. J. (age)
372 Thompson, Rufus	385 Moore, I. G.
373 Lucas, Joseph	386 Smith, John I.
374 Milligan, James	387 Fox, Benj.
375 Shugarts, Andrew	388 Shafer, Hiram
376 Irvin, G. G.	389 Fetzner, G. W.
377 Shaffer, Charles	390 Read, Otto

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters and the oaths of officers of Lawrence Township as they remain on file in said office, and that there are no affidavits of non-registered voters on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield this 28 Mar., 1879.

[SEAL.]

ELI BLOOM, *Prothonotary.*

Affidavits.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of the registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Robert Lord, being sworn, say : That I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me,
 L. C. ROBBINS.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of the registry law, approved January 30 and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Zane Bloom, being sworn, say : That I am a native-born citizen of the United States ; that I am at this date of the age of twenty-

one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me,
L. C. ROBBINS.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Conrad Baker, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Knox, in said county, and that I know J.W. Mellinger, who now claims the right to vote therein, and have known him for one year and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Henry Hunter.

JNO. W. MELLINGER.
CONRAD BAKER.

Sworn and subscribed this 5th day of November, 1878, before me,
L. C. ROBBINS, *Judge*.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, James Wilson, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Knox, in said county, and that I know Snyder Bloom, who now claims the right to vote therein, and have known him for past year and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Martin Bloom.

JAMES WILSON.

Sworn and subscribed this 5th day of November, 187—, before me,
L. C. ROBINS.

EXHIBIT P.

List of voters.

We, the subscribers, judge and inspectors of an election held at the house of Turkey Hill, in the township of Knox, in the county of Clearfield, and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the ——— of ———, in and for said county, do certify the following names to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

LEWIS C. ROBINS, [L. S.]
Judge.

THOMAS LORD, [L. S.]
Inspector.

GEORGE ROBINS, [L. S.]
Inspector.

Attest:

PETER OWENS, *Clerk.*

W. L. WISE, *Clerk.*

- | | |
|--------------------------|-----------------------|
| 1 William Dunlap | 33 John W. Mellinger |
| 2 David R. Rowles | 34 Enos Bloom |
| 3 George Miller | 35 Henry Hickok |
| 4 Price Rowles | 36 James Wilson |
| 5 Harry Harbough | 37 D. E. Mogle |
| 6 H. F. Rowles | 38 John Hickok |
| 7 John R. Dunlap | 39 Samuel Rankins |
| 8 William Lockett | 40 David Erhard |
| 9 Daniel Bowman, sr. | 41 Andy Cline |
| 10 Irvin McKee | 42 James McKee |
| 11 J. A. McKee | 43 Abraham Walker |
| 12 William Coder | 44 Isaac Rankins |
| 13 David Morrison | 45 Henry Straw |
| 14 William Arnold | 46 George Erhard |
| 15 Robert Hunter | 47 William Rankins |
| 16 Alexander Bloom | 48 George Bowman |
| 17 Henry Hunter | 49 Henry Weaver |
| 18 Isaac Mays | 50 Conrad Bloom |
| 19 Conrad Baker | 51 Geo. Bowlinger |
| 20 Enoch Erhard | 52 Samuel Robison |
| 21 John High | 53 Samuel Rea, j'r |
| 22 Greenwood McCracken * | 54 John Gantz |
| 23 Samuel Snyder | 55 M. R. Lewis |
| 24 Levi McCracken | 56 James Kelly |
| 25 Peter Sloppy | 57 Alfred Bloom |
| 26 Robert Witherow | 58 John Rea |
| 27 Lemuel C. Bloom | 59 John W. McCullough |
| 28 William Cathcart | 60 Barney Fern |
| 29 Henry Shugarts | 61 Emery Hoover |
| 30 Orange Michaels | 62 Samuel Hoover |
| 31 John Coder | 63 Samuel Rea, sr. |
| 32 James Jackson | 64 Jacob Fink |

65 Samuel Witherow	104 Peter Starr
66 John Merriman	105 Joseph Patterson
67 Daniel Barnett	106 Christopher Sloppy
68 Thomas Witherow	107 Lewis Erhard
69 David Witherow	108 George Arnold
70 David Patterson	109 John Witherow, jr.
71 Albert Bloom	110 Martin Bloom
72 William Witherow	111 John Bloom
73 Joseph Witherow	112 David McCracken
74 William Cox	113 Curtis Bloom
75 Peter Mays	114 Robert Patterson
76 Joseph Erhard	115 John Patterson
77 Joseph Lord	116 Snyder Bloom
78 John Mays	117 George Patterson
79 Thos. Lord	118 David Wise
80 John Boughman	119 Denton Beeman
81 John Davis	120 Daniel Bloom
82 Monroe Barton	121 John Witherow
83 Thos. McCracken	122 Manuel Henchbarger
84 John Wise	123 Zane Bloom
85 Jared Bloom	124 John Smith
86 Edward Wise	125 David Smith
87 Warren Fox	126 James R. Bloom
88 W. L. Wise	127 Mathias Templeton
89 Daniel Sloppy	128 Thomas Templeton
90 Alfred Wise	129 Peter Erhard
91 Daniel Bowman	130 Robert Lord
92 Green Bell	131 James Cathcart
93 Jacob Arnold	132 Abel Hickok
94 Philip Erhard	133 David Mays
95 Peter Owens	134 Jack Bloom
96 G. W. Robins	135 Alfred Erhard
97 James Lewis	136 Reuben Caldwell
98 John Fox	137 Edward Sloppy
99 John McKee	138 Samuel Hickok
100 Lewis C. Robins	139 Francis Ugar
101 Holton Clark	140 David Snyder
102 Benjamin Roberts	141 Philip Sloppy
103 Alvin Erhard	142 James Hickok

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters and the affidavits of unregistered voters as they remain on file in said office for Knox Township.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 15th March, 1879.

ELI BLOOM, *Prothonotary.*

EXHIBIT O.

Oaths of election officers.

OATH OF JUDGE.

I, John Patterson, do sw'ar a'firm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully

assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN PATTERSON,
*Judge of the Election District composed
 of the ——— of ———, in the County of Clearfield.*

Subscribed and swearing this fifth day of November, 1878, before me.

JOHN McCRACKEN,
Minority Inspector.

OATHS OF INSPECTORS.

I, John McCracken, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN McCRACKEN,
*Inspector of the Election District composed
 of the ——— of ———, in the County of Clearfield.*

Subscribed and swearing this fifth day of November, 1878, before me.

JOHN PATTERSON,
Judge.

I, Joseph McNeal, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election;

and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOSEPH McNEAL,
*Inspector of the Election District composed
of the ——— of ———, in the County of Clearfield.*

Subscribed and swearing this fifth day of November, 1878, before me.

JOHN PATTERSON,
Judge.

OATHS OF CLERKS.

I, A. W. Young, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how an elector shall have voted unless required to do so as a witness in a judicial proceeding.

A. W. YOUNG,
*Clerk of the Election District composed
of the ——— of ———, in the County of Clearfield.*

Subscribed and a'firm' this fifth day of November, 1878, before me.

JOHN PATTERSON,
Judge.

I, Sylvester Wimer, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how an elector shall have voted unless required to do so as a witness in a judicial proceeding.

SYLVESTER WIMER,
*Clerk of the Election District composed
of the Township of Jordan, in the County of Clearfield.*

Subscribed and ——— this fifth day of November, 1878, before me.

JOHN PATTERSON,
Judge.

List of voters.

One copy, together with the tally-paper, list of voters, triplicate return sheet, and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up, and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the school-house, in the township of Jordon, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Jordon, in and for said county, certify the following to be a correct list of voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-nine.

JOHN PATTERSON, [L. S.]
Judge of Elections.

JOSEPH McNEIL, [L. S.]
Inspector.

JOHN McCracken, [L. S.]
Inspector.

Attest:

SYLVESTER WIMER, *Clerk.*

A. W. YOUNG, *Clerk.*

- | | |
|---------------------------|-------------------------|
| 1 Benjamin Thompson | 31 James R. Johnson |
| 2 James Rainey | 32 Philip McNulty |
| 3 Robert Biddle | 33 Wm. M. Schoening |
| 4 A. E. Creswell | 34 James P. Curry. |
| 5 Archy Witherow | 35 James Rea |
| 6 John Washburn | 36 Wm. Haines |
| 7 Wm. Wise, jr. | 37 Hiram Barrett |
| 8 Ezra Mays | 38 Isaac F. Bloom |
| 9 James R. Patterson | 39 James Wimer |
| 10 J. W. Straw | 40 Frank Burch |
| 11 J. A. Dillen | 41 James Wiley |
| 12 Harvey A. Swan (age) | 42 Sylvester Wimer |
| 13 George Price | 43 John McCracken |
| 14 John McNeal | 44 Thomas Strong |
| 15 J. W. Leonard | 45 John F. Wiley |
| 16 John Swan, jr. | 46 James W. Johnson |
| 17 Justen Halton | 47 Joseph McNeal |
| 18 James Thurston | 48 John Patterson |
| 19 Andy Barrett | 49 David Z. Curry (age) |
| 20 George Straw | 50 A. W. Young |
| 21 J. Milton Mays | 51 Edward Curry, jr. |
| 22 Orange Thurston | 52 B. F. Swan |
| 23 John C. Thurston (age) | 53 Samuel I. Bloom |
| 24 Joseph Patterson, sr. | 54 Joseph Strang |
| 25 Sylvester Curry | 55 Hiram Straw |
| 26 Joseph Bloom | 56 Isaiah Caldwell |
| 27 J. C. Wise | 57 Abram Bloom |
| 28 Henry Swan | 58 John McCormick |
| 29 Arthur B. Straw | 59 David Smonk |
| 30 B. F. Wise | 60 Wm. S. Curry |

61 Edmond C. Beard	98 Wm. D. Jordon
62 James F. Curry	99 Martin Noling
63 Archy Jordan	100 Isaac McNeal
64 Robert Patterson	101 John C. Johnson
65 Robert Hunter	102 David W. Wise
66 Henry Smith	103 Wm. G. Williams
67 Edward Curry	104 Robert W. Leonard
68 Robert Johnson	105 Parker Strong
69 Reuben Straw	106 Newil Davis
70 John Thompson	107 S. Miles Bloom
71 Robert J. Johnson	108 Robert Patterson
72 Anson Swan	109 Abram Egler
73 James McKerken	110 D. H. Campbell
74 Thomas Smith	111 James G. Williams
75 Edward Commonford	112 Peter Summers
76 George Patterson	113 George Mays
77 David Hockenbergh	114 Taylor McNeal
78 Enoch Wise	115 John Hunter
79 John Swan, sr.	116 Wm. Wise
80 Heseekiah Patterson	117 Peter Patterson
81 Charles Lewis	118 Edward Haley
82 Wm. Robison	119 Mathew Smith
83 John G. Wilson	120 Samuel McKeeken
84 Wm. Straw	121 Sanford McNeal
85 Wm. Egler	122 Daniel Bailor
86 Oliver Dillen	123 John McAlister
87 Smith McNeal	124 Joseph Gillegan
88 Harvey Swan	125 James Smith
89 John A. Pierce	126 James Rickard
90 John H. Hunter	127 Henry Witherow
91 James Hunter	128 James McNeal
92 Wm. T. Bloom	129 Patrick McArdle
93 John Williams	130 Samuel Witherow
94 John McAlister, sr.	131 Michael Smith
95 Samuel E. Mays	132 Frank Smith
96 David Johnston	133 Lewis Seabolt
97 Wm. P. Mays	

STATE OF PENNSYLVANIA, *County of Clearfield, ss :*

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters and oaths of officers for Jordon Township, and that there are no affidavits of non-registered voters for said township on file in this office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 15th March, 1879.

ELI BLOOM, *Prothonotary.*

Affidavits.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA, *County of Clearfield, ss :*

I, Joel Kesler, being affirmed, say that I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and

under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this fifth day of November, 1878, before me.

R. C. THOMPSON.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, James Lucore, being affirmed, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this fifth day of November, 1878, before me.

R. C. THOMPSON.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Tremont Byers, being affirmed, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

Sworn and subscribed this fifth day of November, 1878, before me.

R. C. THOMPSON.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

EXHIBIT N.

Oaths of election officers.

OATH OF JUDGE.

I, R. C. Thompson, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote, or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required so to do as a witness in a judicial proceeding.

R. C. THOMPSON,

*Judge of the Election District composed of the ———
of Greenwood, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov. 1878, before me.

T. J. BELL,
Minority Inspector.

OATHS OF INSPECTORS.

I, Joseph M. Wiley, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. M. WILEY,

*Inspector of the Election District composed of the ———
of Greenwood, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov. 1878, before me.

R. C. THOMPSON, *Judge.*

I, T. Jeff Bell, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, with-

out requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

T. J. BELL,

*Inspector of the Election District composed of the ———
of Greenwood, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov. 1878, before me.

R. C. THOMPSON, *Judge.*

OATHS OF CLERKS.

I, James Clarey, jr., do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JAS. CLAREY, JR.,

*Clerk of the Election District composed of the ———
of Greenwood, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov. 1878, before me.

R. C. THOMPSON, *Judge.*

I, T. J. Thompson, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

T. J. THOMPSON,

*Clerk of the Election District composed of the ———
of Greenwood, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov. 1878, before me.

R. C. THOMPSON, *Judge.*

List of voters.

One copy, together with the tally paper, list of voters, triplicate return sheet, and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up, and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the public house of G. D. McCracken, in the township of Greenwood, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Greenwood, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

R. C. THOMPSON, [L. S.]
Judge of Elections.

J. M. WILEY, [L. S.]
Inspector.

T. J. BELL, [L. S.]
Inspector.

Attest:

JAMES CLAREY, *Clerk.*

T. J. THOMPSON, *Clerk.*

- | | |
|-------------------------|----------------------|
| 1 David McCracken | 31 Saml. Young |
| 2 James Wiley, sen. | 32 John W. Haslet |
| 3 Wm. Bell | 33 Wm. B. Thompson |
| 4 Grier McCracken | 34 John A. Rowles |
| 5 J. A. Johnson | 35 Lemuel Campbell |
| 6 W. W. Rowles | 36 Daniel Snyder |
| 7 David Lee | 37 Wash Hess |
| 8 Thomas A. Smith | 38 David Mitchell |
| 9 Daniel McCracken | 39 D. W. McCracken |
| 10 J. S. McQuown | 40 Eli Passmore |
| 11 Geo. Shafer | 41 Warren Passmore |
| 12 Chas. Thorp | 42 H. C. Wagoner |
| 13 Cal Hoover | 43 Z. L. Hoover |
| 14 Wm. Kester | 44 R. C. McCracken |
| 15 Isaac Kester | 45 George Ross |
| 16 Wm. Smith | 46 Job Curry |
| 17 G. D. McCracken | 47 Al Gouldthread |
| 18 Harvey McCracken | 48 Jos. Neweimer |
| 19 James Lucore (age) | 49 Joel Kester (age) |
| 20 Chas. Hullehen | 50 John F. Coulter |
| 21 Freemont Byers (age) | 51 Frampton Bell |
| 22 J. P. Hoyt | 52 J. Q. A. Johnson |
| 23 Mans Hoover | 53 James Stephenson |
| 24 Tryer Jacob | 54 John W. Bell |
| 25 John C. Mills | 55 Wm. P. Johnson |
| 26 H. D. Sharp | 56 James Frampton |
| 27 Amos Kester | 57 Methias Hullihen |
| 28 A. B. Tate | 58 Conrad Hullihen |
| 29 Augdon Campbell | 59 Nelson Young |
| 30 David Young | 60 Josiah Newcomer |

61 David Wily	76 Miles Johnson
62 Frank Kester	77 Geo. M. Passmore
63 B. F. Deihl	78 Daniel Wily
64 Al Wily	79 Wm. T. Wiley
65 Leonard McCracken	80 James Clarey
66 A. H. Newcomer	81 Jesse Kester
67 Frank Sawyer	82 T. J. Thompson
68 R. C. Thompson	83 Jos. M. Wiley
69 David Johnson	84 T. J. Bell
70 Manassah Johnson	85 G. W. Dickey
71 John S. Johnson	86 John Robbins
72 Frank Johnson	87 Mathew Johnson
73 Jas. Johnson	88 H. D. Kester
74 Newt Freeman	89 Marrior Sharp
75 Elah Johnson	90 J. R. Derick

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters, oaths of officers, and affidavits of non-registered voters of Greenwood Township, as the remain on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield this 28th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, J. S. McQuown, being duly sworn, say, that I am a qualified voter of the election district composed of the township of Greenwood, in said county, and that I know George Shafer, who now claims the right to vote therein, and have known him for sixty days and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of J. W. Bell, in said district.

J. S. McQUOWN.

Sworn and subscribed this 5th day of November, 1878, before me.

R. C. THOMPSON.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, George Shafer, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 25th day of June, A. D. 1851, in the

county of Indiana, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the —— day of ——, 1877, in the township of Macalmot, in the county of Jefferson, in the State of Pennsylvania, and was paid on the 3d day of September, 1878, to Godfrey Zimmerman, collector of taxes for said ——.

GEORGE SHAFER.

Sworn and subscribed this 5th day of November, 1878, before me.

R. C. THOMPSON.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, Franklin Kester, being duly sworn, say, that I am a qualified voter of the election district composed of the township of Greenwood, in said county, and that I know Harry Kester, who now claims the right to vote therein, and have known him for six years and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of Franklin Kester, in township and county aforesaid.

B. F. KESTER.

Sworn and subscribed this 5th day of November, 1878, before me.

R. C. THOMPSON.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, D. H. Kester, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 31st day of August, A. D. 1852, in Columbia County, State of Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the —— day of ——, 1877, in the —— of Greenwood, in the county of Clearfield, in the State of Pennsylvania, and was paid on the —— day of ——, 1877, to A. H. Newcomer, col-

lector of taxes for said township, * *who gave me a receipt therefor, which has since been lost or destroyed.*

D. H. KESTER.

Sworn and subscribed this 5th day of November, 1878, before me.

K. C. THOMPSON.

EXHIBIT M.

Oaths of election officers.

OATH OF JUDGE.

I, ———, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required so to do as a witness in a judicial proceeding.

GEORGE MICHAELS,

*Judge of the Election District composed of the Township
of Ferguson, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

A. D. FERGUSON,

Minority Inspector.

OATHS OF INSPECTORS.

I, ———, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. D. FERGUSON,

*Inspector of the Election District composed of the
Township of Ferguson, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

GEORGE MICHAELS, *Judge.*

* N. B.—The words in italic can be erased when not applicable.

I, — — — —, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JAMES J. DILLEN,

*Inspector of the Election District composed
Township of Ferguson, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

GEORGE MICHAELS, *Judge.*

OATHS OF CLERKS.

I, — — — —, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. J. SMITH,

*Clerk of the Election District composed of the Township
of Ferguson, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

GEORGE MICHAELS, *Judge.*

I, — — — —, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JAMES FERGUSON,

*Clerk of the Election District composed of the Township
of Ferguson, in the County of Clearfield.*

Subscribed and sworn this 5th day of November, 1878, before me.

GEORGE MICHAELS, *Judge.*

List of voters.

One copy, together with the "tally paper," "list of voters," "triplicate return sheet," and oaths of judges, inspectors and clerks to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up, and addressed to the prothonotary, at Clearfield.

We, the subscribers, judge and inspectors of an election held at the election house, Broadway, in the township of Ferguson, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Ferguson in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-nine.

GEO. MICHAELS, [L. S.]
Judge of Elections.

JAMES J. DILLEN, [L. S.]
Inspector.

ALEXANDER D. FERGUSON, [L. S.]
Inspector.

Attest:

JAMES FERGUSON, *Clerk.*

A. SMITH, *Clerk.*

- | | |
|-------------------------|----------------------|
| 1 John Michaels | 31 Charles Read |
| 2 Milton Moore | 32 Nicholas Tubbs |
| 3 W. B. Sterling | 33 George McCully |
| 4 Hiram McCracken | 34 William Barrett |
| 5 Samuel Tobias | 35 C. J. Shoff |
| 6 Nathaniel Tobias | 36 Elis Michaels |
| 7 T. G. Williams | 37 John S. Williams |
| 8 W. T. Williams | 38 C. D. Tubbs |
| 9 Philip McCracken | 39 G. W. Fink |
| 10 W. W. Bell | 40 W. T. Williams |
| 11 D. S. McCracken | 41 Edward Shaffer |
| 12 W. B. McCracken | 42 James Glenn |
| 13 John Young | 43 Harvy Glenn |
| 14 Albert Young | 44 D. A. Wise |
| 15 Martin Wertts | 45 P. B. Shirk |
| 16 Luther Barrett | 46 W. T. Moore |
| 17 E. L. Strunk | 47 T. S. Norris |
| 18 O. B. Strunk | 48 W. G. McCracken |
| 19 Hiram Passmore | 49 E. E. Owens |
| 20 Washington Barrett | 50 James W. Ferguson |
| 21 A. Barrett | 51 James Straw |
| 22 Clempson Davis | 52 Emerson Reed |
| 23 Thomas Owens | 53 David Reed |
| 24 James M. Bloom | 54 Thomas M. Lewis |
| 25 George Barrett | 55 James M. Strunk |
| 26 Brason D. Williams | 56 A. W. Owens |
| 27 Alkanna Barrett, jr. | 57 M. W. Witheright |
| 28 Millon Bloom | 58 John Sawley |
| 29 Henry Owens | 59 James McFadden |
| 30 Barney Witheright | 60 E. K. Williams |

61 B. G. McMasters	85 Alex. Ferguson
62 Joseph Straw	86 J. J. Dillen
63 Alen Moore	87 A. J. Smith
64 Robert Michaels	88 James Owens
65 Jonathan McCracken	89 Josiah Henry
66 Alfred McCracken	90 James Ferguson
67 Jonathan Bloom	91 C. T. Shaper
68 Ross McCracken	92 Cornelius Tubbs
69 Lewis McCracken	93 Matthew Bloom
70 J. S. McCreery	94 Calvin Barrett
71 Grier Bell	95 Walter McCracken
72 George Williams	96 Joseph Moore
73 James Wise	97 John N. Hill
74 F. C. Bell	98 John McCracken
75 George Straw	99 Thomas H. Lines
76 Enoch Straw	100 Heseekiah McCracken
77 John T. Straw	101 Christian Straw
78 John C. Ferguson	102 Seth McCracken
79 Frederick McCracken	103 David Michaels
80 L. B. Hile	104 Hiram Tubbs
81 L. T. Beers	105 Wm. L. Moore
82 John F. Reed	106 Isaac Moore
83 George Michaels	107 Robert Moore
84 W. H. Smith	108 Robert Ross

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a correct copy of the list of voters and oaths of officers as they remain on file in said office, for the township of Ferguson, and that there are no affidavits of non registered voters on file in said office for said township.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 28th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT L.

List of voters.

One copy, together with the "tally paper," "triplicate return sheet," and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each is to be put into an envelope, sealed up, and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the election house, in the township of Chest, in the county of Clearfield, and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Chest, in and for said county, do certify the following names to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this

fifth day of November, A. D. one thousand eight hundred and seventy-eight.

J. J. McGARVEY, [L. S.]
Judge.

J. S. SCHROLL, [L. S.]
Inspector.

C. T. MOORE, [L. S.]
Inspector.

Attest:

SAMUEL McLAUGHLIN, *Clerk.*

ALFRED STEPHENS, *Clerk.*

- | | |
|-----------------------|------------------------|
| 1 W. F. Syberts | 45 James McEwen |
| 2 Daniel Fisbell | 46 J. N. Dunbar |
| 3 S. L. Sumerville | 47 David McGarvey |
| 4 J. A. Gallaher | 48 John McQuilken |
| 5 James Fishel | 49 Robert McGarvy |
| 6 J. T. Fry | 50 John L. Neff |
| 7 J. W. L. Gallaher | 51 Ellis Westover |
| 8 Mathew McCully | 52 Frederick Trailey |
| 9 Elvin Thurston | 53 Wm. T. McGarvey |
| 10 Isaiah Rorabaugh | 54 Wm. Summerville |
| 11 Anthony McGarvey | 55 Oliver Stephens |
| 12 Marrian McCully | 56 Edward McGarvy |
| 13 Jacob Rowland | 57 Levi Labern |
| 14 Joseph Kitchen | 58 Wm. Hazelton |
| 15 T. W. Kitchen | 59 Isaiah Neff |
| 16 Daniel Ramey | 60 Silas Westover |
| 17 James Kitchen | 61 Wm. McGarvy |
| 18 Joseph Michaels | 62 Jacob Pennington |
| 19 John Hockenbery | 63 Samuel McCulley |
| 20 G. R. McMasters | 64 Edward W. Parker |
| 21 Alexander McCord | 65 G. W. Jose |
| 22 H. H. Hurd | 66 Jonathan Rowland |
| 23 Mathias Hockenbery | 67 Andrew Frailey |
| 24 Wm. Hockenbery | 68 Thomas Connly |
| 25 Lawrince Kitchen | 69 Frank McCulley |
| 26 Blair Summervill | 70 William Lingy |
| 27 Samuel M. Westover | 71 Anson Williams |
| 28 J. R. McKee | 72 James W. Montgumery |
| 29 Rufus Lingy | 73 Benjamin Wood |
| 30 John L. Brith | 74 William Westover |
| 31 John Pennington | 75 Matthew McGarvey |
| 32 Siles Tucker | 76 John Montgumery |
| 33 James Davison | 77 G. R. Miles |
| 34 Joseph H. Brith | 78 Austin Wood |
| 35 Michael Lithers | 79 Israel Wood |
| 36 John C. Kitchen | 80 John M. Tozer |
| 37 Benjamin Klinger | 81 Edward Westover |
| 38 John Straw | 82 W. A. Barnet |
| 39 John Killian | 83 Christopher Binnet |
| 40 John Tozier | 84 John S. McGarvey |
| 41 Gustus Holes | 85 Enos McMasters |
| 42 Lewis Westover | 86 John Frailey |
| 43 Lafayette Bloom | 87 Perry Pierce |
| 44 Esten McEwen | 88 Edward Wood |

89 Thomas Wood	137 Stephen Bell
90 William Wood	138 Robert Rainey
91 Daniel Carson	139 Simon Pennington
92 A. B. Barrett	140 Lewis Baker
93 Samuel Straw	141 Tera Baker
94 Jonathan Westover, sr.	142 John Fisher
95 John J. Westover	143 Joseph Westover, sr.
96 Jonas Markle	144 Paul McGarvey
97 John G. Snyder	145 John C. Westover
98 William Snyder	146 Jonathan H. Westover
99 Samuel Byers	147 Joseph Westover, jr.
100 Albert Thurstón	148 Henry Pierce
101 William Hopkins	149 George Robison
102 John Robison	150 Charles Rodgers
103 Right Haris	151 Henry Pennington
104 Patrick Gillegan	152 John McCord
105 William Charlton	153 E. A. De Witt
106 Enos Westover	154 Newton McCord
107 Paul White	155 George Hockenbery
108 Leonard Niles	156 Edward Barto
109 Robert H. McGarvy	157 James Westover
110 Henry Bennett	158 John McCully
111 Solomon Tozier	159 John Addleman
112 Joseph Johnson	160 John Connly
113 Tobias Westover	161 Isaac Rainey
114 Roland Pennington	162 David Mitchells
115 Adam Hagy	163 Jacob A. Breth
116 Franklin Wood	164 Jacob Pennington
117 John M. Westover	165 Alex. Dunbar
118 Robert Dunbar	166 George Fishel
119 James Curry	167 Joseph Ames
120 Ary Algiers	168 Charles Moore
121 Odis Gown	169 Andrew Kitchen
122 Joseph Shook	170 Henry N. Kitchen
123 John Nole	171 John J. McGarvy
124 Eli Campbell	172 William McMasters
125 Moses Thierston	173 Charles McMasters
126 William Wagoner	174 Robert McMasters
127 Robert Pennington, jr.	175 Jacob Schrall
128 Robert Lewis	176 Lorenzo Bloom
129 Peter Bishop	177 David Woods
130 Josiah Lamburn	178 James Wood
131 Ira Tute	179 Michael E. Hurd
132 Ransom Freeman	180 John Hurd
133 James Freeman	181 Austin Curry
134 Jonas Snyder	182 James Harrison
135 Calvin Stephens	183 Alfred Stephens
136 William Kitchen	184 Samuel McGlaughlin

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of the county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters of the township of Chest as they remain on file in said office, and that there are no affidavits of unregistered voters on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield, this 15th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

Affidavits.

No. 4.

Form of affidavit to be made by native-born citizen not registered and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Daniel Schock, being sworn, say that I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

DANIEL SCHOCK.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, S. M. Osborn, being sworn, say that I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

S. M. OSBOURN.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, G. A. Weber, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

G. A. WEABER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, W. B. Hoover, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

WM. B. HOOVER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Josiah Reisinger, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one

and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

JOSIAH RESENGER.

Sworn and subscribed this 5th day of November, 187 , before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, Charles Bretenbach, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one, and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

CHA'S BRETENBACH.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, John A. Dixon, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one, and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

JOHN A. DIXON.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in

his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, W. S. Blair, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one, and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote, two months next preceding this election.

W. S. BLAIR.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, John C. Baker, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote, two months next preceding this election.

JOHN C. BAKER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, Clinton Alexander, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one, and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote, two months next preceding this election.

CLINTON ALEXANDER.

Sworn and subscribed this 5th day of November, 187 , before me.
GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Oscar M. Seyler, being sworn, say that I am a native born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote, two months next preceding this election.

OSCAR SEYLER.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, G. M. Kinter, being sworn, say that I am a native born citizen of the United States; that I am at this date of the age of twenty-one

and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote, two months next preceding this election.

GEO. M. KINTER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Jason E. Kirk, being sworn, say that I am a native born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

JASON E. KIRK.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, William S. Ogden, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last passed, and in this election district, where I now claim the right to vote, two months next preceding this election.

WILLIAM S. OGDEN.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in

his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, Francis McKay, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, T. J. Retz, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

THOMAS J. REITZ.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, James D. Ellenger, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-

one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

J. D. ELLENGER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Samuel Postlethwait, jr., being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

SAMUEL POSTLETHWAIT.

Sworn and subscribed this 5th day of November, 1878, before me.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. A. Knarr, being sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

J. A. KNARR.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in

his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, James Murphy, being duly sworn, say : That to the best of my knowledge and belief, I was born on the 12th day of March, A. D 1851, in Ireland; that I was duly naturalized on the — day of —, 1876, in the court of common pleas of Clearfield County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before this election, which tax was assessed on the — day of —, 1877, in the township of Woodward, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1877, to the constable, Higgins, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

JAMES MURPHEY.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, James Quinlin, being duly sworn, say: That, to the best of my knowledge and belief, I was born on the 8th day of July, A. D. 1853, in Ireland; that I was duly naturalized on the 26th day of November, 1876, in the court of common pleas of New York City; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before this election, which tax was assessed on the — day of —, 187—, in the township of —, in the county of Sullivan, in the State of Pennsylvania, and was paid on the — day of —, 1877, to Hileman, collector of taxes for

* N. B. The words in *Italic* can be erased when not applicable.

said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

JAMES QUINLIN.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Geo. Schell, being duly sworn, say: That, to the best of my knowledge and belief, I was born on the 16th day of August, A. D. 1852, in Wales; that I was duly naturalized on the 6th day of October, 1876, in the court of common pleas, in Luzerne County, Pennsylvania; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before this election, which tax was assessed on the — day of —, 1877, in the city of Scranton, in the county of Luzerne, in the State of Pennsylvania, and was paid on the — day of —, 1877, to Daniel Powell, collector of taxes for said city, **who gave me a receipt therefor, which has since been lost or destroyed.*

GEORGE SCHELL.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK, *Judge.*

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, W. C. Corley, being duly sworn, say, that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know W. L. Cathers, who now claims the right to vote therein, and have known him for four months and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of E. Kuntz, in Du Bois.

WM. CORLEY.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

*N. B. The words in Italic can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, W. L. Cathers, being duly sworn, say, that to the best of my knowledge and belief, I was born on the 31st day of July, A. D. 1855, in Clarion County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the Commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the --- day of ---, 1877, in the borough of Reynoldsville, in the county of Jefferson, in the State of Pennsylvania, and was paid on the --- day of ---, 1877, to D. McCahan, collector of taxes for said borough, **who gave me a receipt therefor.*

W. L. CATHERS.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. W. Corp, being duly sworn, say, that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Q. S. Reams, who now claims the right to vote therein, and have known him for three months and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of John O'Donald.

J. W. CORP.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Q. S. Reams, being duly sworn, say, that to the best of my knowledge and belief I was born on the 9th day of November, A. D. 1847, in

*N. B.—The words in *Italic* can be erased when not applicable.

Brady Township, Clearfield County, Pennsylvania; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the borough of Big Run, in the county of Jefferson, in the State of Pennsylvania, and was paid on the — day of June, 1878, to M. V. Shaff, collector of taxes for said borough, **who gave me a receipt therefor, which has since been lost or destroyed.*

Q. S. REAMS.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, J. P. Taylor, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Edward Benner who now claims the right to vote therein, and have known him for *Ohio* and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of John Du Bois.

J. P. TAYLOR.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss:

I, Edward Benner, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 16th day of February, A. D. 1855, in Clearfield Borough; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the borough of Clearfield, in the county of Clearfield, in the State of Pennsylvania, and was paid on the

*N. B.—The words in *Italic* can be erased when not applicable.

31st day of August, 1878, to D. McGaughey, collector of taxes for said borough.

ED. BENNER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, W. C. Corley, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady in said county, and that I know A. J. Wilcox, who now claims the right to vote therein, and have known him for 15 years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of City Hotel, at Du Boise.

WM. CORLEY.

Sworn and subscribed this 5th day of November, 187 , before me.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, A. J. Wilcox, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 24th day of March, A. D. 1849, in the State of New York ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past ; and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the borough of Reynoldsville, in the county of Jefferson, in the State of Pennsylvania, and was paid on the — day of —, 1877, to McCahan, collector of taxes for said borough, **who gave me a receipt therefor.*

A. J. WILCOX.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. A. Dixon, being duly sworn, say : that I am a qualified voter of the election district composed of the township of Brady in said county,

*N. B.—The words in Italic can be erased when not applicable.

and that I know J. M. Keller who now claims the right to vote therein, and have known him for three years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Thomas Wagoner.

J. A. DIXON.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. M. Keller, being duly sworn, say : that to the best of my knowledge and belief, I was born on the 18th day of February, A. D. 1844, in Blair County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Brady, in the county of Clearfield, in the State of Pennsylvania, and was paid on the 5th day of June, 1877, to D. McGaughey, collector of taxes for said township.

J. M. KELLER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, David Shields, being duly sworn, say : that I am a qualified voter of the election district composed of the township of Brady in said county, and that I know Wm. Conrad who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Margaret Yoas.

D. B. SHIELDS.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Wm. Conrad, being duly sworn, say : that to the best of my knowledge and belief, I was born on the 10th day of January, A. D. 1848, in

Berks County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Bloom, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1877, to D. McGaughey, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

W. CONRAD.

Sworn and subscribed this — day of — 187 , before me.

GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, A. J. McHugh, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Mike Diggins, who now claims the right to vote therein, and have known him for twelve years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Mike Hanlan.

A. J. McHUGH.

Sworn and subscribed this 5th day of November, 1878, before me.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Mike Diggins, being duly sworn, say that to the best of my knowledge and belief I was born on the — day of —, A. D. 1843, in Ireland; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the borough of Houtzdale, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —,

*N. B.—The words in Italic can be erased when not applicable.

1877, to Mr. Henderson, collector of taxes for said borough, **who gave me a receipt therefor, which has since been lost or destroyed.*

his
MIKE + DIGGINS.
mark.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, M. B. McHugh, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know John Stonebreaker, who now claims the right to vote therein, and have known him for three years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Bell, Lewis & Yates.

M. B. McHUGH.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK, *Judge.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, John Stonebreaker, being duly sworn, say that to the best of my knowledge and belief I was born on the 7th day of May, A. D. 1845, in Blair County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1876, in the township of Taylor, in the county of Centre, in the State of Pennsylvania, and was paid on the — day of November, 1876, to Fred. Dale, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

JOHN H. STONEBREAKER.

Sworn and subscribed this — day of —, 187—, before me.

* N. B.—The words in *Italic* can be erased when not applicable.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. J. Drummond, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know A. A. Poorman, who now claims the right to vote therein, and have known him for one year and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of E. Kuntz.

WM. A. POORMAN.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, W. A. Poorman, being duly sworn, say that to the best of my knowledge and belief I was born on the 3d day of August, A. D. 1844, in Boggs Township, Centre County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; **that I was formerly a citizen of Pennsylvania and removed therefrom, and have now resided therein six months next preceding this election,* and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the township of Armaugh, in the county of Mifflin, in the State of Pennsylvania, and was paid on 5th day of October, 1877, to M. Maginy, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

J. J. DRUMMOND.

Sworn and subscribed this — day of —, 187 , before me.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. Jamison, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and

*N. B.—The words in Italic can be erased when not applicable.

that I know Frank Leech, who now claims the right to vote therein, and have known him for one year and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of his own.

J. JAMISON.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Frank Leech, being duly sworn, say that to the best of my knowledge and belief I was born on the 22d day of July, A. D. 1853, in Lawrence Township, Clearfield County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years which was assessed two months, and paid one month before this election, which tax was assessed on the — day of —, 1877, in the township of Brady, in the county of Clearfield, in the State of Pennsylvania, and was paid on the 13th day of July, 1878, to J. Jamison, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

FRANK LEECH.

Sworn and subscribed this — day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, C. Schwem, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know J. H. Draucker, who now claims the right to vote therein, and have known him for ten years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Mary Draucker.

CHARLES SCHWEM.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*

*N. B.--The words in Italic can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizens not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, J. H. Draucker, being duly sworn, say : That to the best of my knowledge and belief, I was born on the 24th day of March, A. D. 1841, in Brady Township ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past ; and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election ; which tax was assessed on the — day of —, 1877, in the township of Brady, in the county of Clearfield, in the State of Pennsylvania, and was paid on the 1st day of June, 1877, to D. McGaughey, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

JAMES H. DRAUCKER.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, John Clark, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know William Clark, who now claims the right to vote therein, and have known him for ten——and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of his own.

JOHN CLARK.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, William Clark, being duly sworn, say : That to the best of my knowledge and belief, I was born on the 4th day of October, A. D. 1846, in Penn Township, Clearfield County, Pennsylvania ; that I am and

* N. B.—The words in Italic can be erased when not applicable.

have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Penn, in the County of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1877, to M. M. Flynn, collector of taxes for said township.

WM. CLARK.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Andrew Liddle, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Daniel Harrison, who now claims the right to vote therein, and have known him for three months and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of Hibin.

ANDREW LIDDLE.

DANIEL HARRISON.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Daniel Harrison, being duly sworn, say that to the best of my knowledge and belief I was born on the — day of —, A. D. 1849, in State of Massachusetts; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the township of Fox, in the county of Elk, in the State of Pennsylvania, and was paid on the 7th day of March, 1878, to J. McMackin, collector of taxes for said township, * *who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge*.

* N. B.—The words in Italic can be erased when not applicable.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, John Blair, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know A. B. Reed, who now claims the right to vote therein, and have known him for ten ——— and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of Geo. Foster.

JOHN BLAIR.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, A. B. Reed, being duly sworn, say that to the best of my knowledge and belief I was born on the 12th day of December, A. D. 1854, in Montour County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of —, 1877, in the borough of Milton, in the county of Northumberland, in the State of Pennsylvania, and was paid on the — day of —, 1878, to John Musgroove, collector of taxes for said borough, ** who gave me a receipt therefor, which has since been lost or destroyed.*

A. B. REED.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Thos. Askey, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Brady in said coun-

* N. B.—The words in Italic can be erased when not applicable.

ty, and that I know Nicholas Everling, who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Jesse Lines.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30, and February 13, 1874,

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss :

I, Nicholas Everling, being duly sworn, say: That to the best of my knowledge and belief I was born on the 11th day of November, A. D. 1832, in Philadelphia; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Brady, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1877, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this — day of —, 187—, before me.

No. 1

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clearfield, ss ;

I, H. P. Strawbridge, being duly sworn, say: That I am a qualified voter of the election district composed of the township — in said county, and that I know Elliot McCracken, who now claims the right to vote therein, and have known him for eleven years and upwards, and that said claimant, for the last two months and upwards, has resided in said election district in the house of Fred. Lenanger.

H. P. STRAWBRIDGE.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

*N. B.—The words in Italic can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30th and February 13th, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Elliot McCracken, being duly sworn, say : That to the best of my knowledge and belief, I was born on the 11th day of June, A. D. 1832, in Furgeson Township. Clearfield County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Huston, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1877, to Huffman, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

his
E. + McCracken.
mark.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, C. F. Fuller, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady in said county, and that I know D. C. Johnson, who now claims the right to vote therein, and have known him for three months and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of John Du Bois.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1875.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, D. C. Johnson, being duly sworn, say that to the best of my knowledge and belief I was born on the 9th day of March, A. D. 1842, in

*N. B.—The words in Italic can be erased when not applicable.

Cooperstown, N. Y.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1876, in the township of Union, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1876, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this — day of —, 187—, before me.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, C. F. Fuller, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady in said county, and that I know Wm. Dixon, who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of —.

Sworn and subscribed this 5th day of November, 1878, before me.

No. 2

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, W. Dixon, being duly sworn, say that to the best of my knowledge and belief, I was born on the — day —, A. D. 18 —, in Winslow Township, Jefferson County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 187 —, in the — of —, in the county of — in the State of Pennsylvania, and was paid on the — day of —, 187 —, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this — day of —, 187 —, before me.

*N. B.—The words in Italic can be erased when not applicable.

No. 1.

Form of affidavit to prove residence of person not registered, to be made qualified voters, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, C. F. Fuller, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know John Du Bois, who now claims the right to vote therein, and have known him for twelve years and upwards, and that said claimant for the last two months and upwards has resided in said election district, in the house of his own.

C. F. FULLER.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizens not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, John Du Bois, being duly sworn, say: That to the best of my knowledge and belief, I was born the 3d day of March, A. D. 1809, in the State of New York, Tioga County ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past ; * and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election ; which tax was assessed on the — day of —, 1877, in the township of Brady, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of —, 1878, to county collector, collector of taxes for said townships, who gave me a receipt.

JOHN DU BOIS.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, J. A. Dixon, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Brady in said

* N. B.—The words in Italic can be erased when not applicable.

county, and that I know M. H. Kreps, who now claims the right to vote therein, and have known him for four months and upwards; and that said claimant for the last two months and upwards has resided in said election district in the house of his own.

J. A. DIXON.

Sworn and subscribed this 5th day of November, 1878, before me.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, M. H. Kreps, being duly sworn, say: That to the best of my knowledge and belief, I was born on the 16th day of August, A. D. 1855, in Mifflin County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Oliver, in the county of Mifflin, in the State of Pennsylvania, and was paid on the 15th day of February, 1878, to M. Whitworth, collector of taxes for said township, ** who gave me a receipt therefor, which has since been lost or destroyed.*

M. H. KREPS.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK.

No. 1.

Form of affidavit to prove residence of persons not registered, to be made by qualified voter, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss:

I, John Clark, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Elias Wolf, who now claims the right to vote therein, and have known him for three months and upwards, and that said claimant for the last two months and upwards, has resided in said election district in the house of Adam Weisarber.

JOHN CLARK.

Sworn and subscribed this 5th day of November, 1878, before me.

GEO. C. KIRK, *Judge.*

* N. B.—The words in Italic can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of the registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Elias Wolf, being duly sworn, say that to the best of my knowledge and belief, I was born on the 14th day of October, A. D. 1851, in Schuylkill County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1876, in the township of —, in the county of Schuylkill, in the State of Pennsylvania, and was paid on the 14th day of December, 1876, to Wm. Henry, collector of taxes of said city, **who gave me a receipt therefor.*

ELIAS WOLF.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK, *Judge.*

No. 1.

Form of affidavit to prove residence of person not registered to be made by qualified voters, under the tenth section of registry law approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, C. F. Fuller, being duly sworn, say that I am a qualified voter of the election district composed of the township of Brady, in said county, and that I know Jacob Read, who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards, has resided in said election district in the house of John DuBois.

C. F. FULLER.

Sworn and subscribed this 5th day of November, 1878, before me.
GEO. C. KIRK.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Jacob Read, being duly sworn, say that to the best of my knowledge and belief, I was born on the 1st day of August, A. D. 1836, in

* N. B.—The words in Italic can be erased when not applicable.

Northampton County, Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the township of Cascade, in the county of Lycoming, in the State of Pennsylvania, and was paid on the — day of —, 1877, to John Savage, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

JACOB REED.

Sworn and subscribed this 5th day of November, 1878, before me.

EXHIBIT K.

Oaths of election officers.

OATH OF JUDGE.

I, Geo. C. Kirk, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEO. C. KIRK,

*Judge of the Election District composed of the
Township of Brady, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, J. W. Corp, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty

* N. B.—The words in Italic can be erased when not applicable.

therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. W. CORP,

*Inspector of the Election District composed of the Township
of Brady, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

GEO. C. KIRK, *Judge.*

I, J. M. Carlile, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. MILTON CARLILE,

*Inspector of the Election District composed of the Township
of Brady, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

GEO. C. KIRK, *Judge.*

OATHS OF CLERKS.

I, A. M. Draucker, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. M. DRAUCKER,

*Clerk of the Election District composed of the Township
of Brady, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

GEO. C. KIRK, *Judge.*

I, C. M. Raffensbarger, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that

shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

C. M. RAFFENSBARGER,
*Clerk of the Election District composed of the Township
 of Brady, in the County of Clearfield.*

Subscribed and affirmed this 5th day of Nov., 1878, before me.

GEO. C. KIRK, *Judge.*

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the oaths of officers and affidavits of unregistered voters as they remain on file in said office for Brady Township.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 25th day of March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT J.

List of voters.

One copy, together with the "tally paper," "list of voters," "triplicate return sheet," and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each of these papers is to be put into an envelope, sealed up and addressed to the prothonotary at Clearfield.

We, the subscribers, judge and inspectors of an election held at the house of Edmund Albert, in the township of Boggs, in the county of Clearfield, and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Boggs, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

JOHN LITTLE, [L. S.]
Judge of Elections.

GEORGE MERRETT, [L. S.]
Inspector.

GEORGE W. GALLAHER, [L. S.]
Inspector.

Attest:

JOHN BIESH, *Clerk.*

ALEXANDER WISOR, *Clerk.*

1 Thomas Beers
 2 Geo. W. Davis
 3 John Coulter
 4 Thomas Hill
 5 Charles Sloan
 6 T. B. Woodside

7 Elkhannah Wolstencroft
 8 Geo. Blovelt
 9 Jacob Flegal
 10 John K. Williams
 11 Samuel Dixon
 12 John Miller

13 David Flegal	68 H. P. Hartman
14 Jesse Smeal	69 Levi Louder
15 Abram Flegal	70 Samuel Dugan
16 Elijah Plemton	71 Porter Wisor
17 Vincent Smeal	72 Geo. Albert
18 Alfred Kline	73 Alexander Sulinger
19 David Kline	74 George James
20 Thomas Slocy	75 David Mease
21 David Dimeling	76 Robert Soop
22 John W. Kyler	77 A. B. Washburn
23 Geo. Dimeling	78 Geo. W. Shimel of Geo.
24 James Davis	79 Joseph Logan
25 John L. Hill	80 James Philips (on age)
26 Cornelius Gearhart	81 Simon Thompson
27 Wm. Gallaher	82 Isaac Hopkins
28 Abram Goss	83 Fenton Phelan
29 Anthony Bean	84 W. K. Smeal
30 Samuel Lambert	85 Eli Lumadue
31 William Smeal	86 Frank Hall
32 Jacob Richner	87 Edward Good
33 Wm. Thompson (tax)	88 James Mease
34 Michael Bowers (not paid, counted out)	89 Uriah Bumbarger
35 Jacob Barger	90 J. B. Shimel
36 Alexander Dixon	91 Geo. Flegal
37 Nathaniel Warren	92 Thomas Pickels
38 Valentine Gearhart	93 John Goffey
39 Deitrick Cole	94 W. H. Peters
40 J. H. Smith	95 Francis Smeal
41 William Newton	96 J. H. Waple
42 Thomas Honiter	97 John Ross
43 Miles Hennery	98 P. B. Miller
44 Charles King	99 W. L. Goss
45 J. S. Gearhart	100 G. G. Merrett
46 J. W. Gearhart	101 G. W. Gallaher
47 A. C. Gearhart (on age)	102 John Biesh
48 Benton Merrett	103 Alexander Wisor
49 J. M. Chase, jun.	104 Charles Wople
50 Jacob Hennery	105 Frank Bush
51 C. L. Merrett	106 Edmund Albert
52 Linsey Wisor	107 John Little
53 Jno. Bumbarger	108 John Dixon
54 Albert Merrett	109 Jacob Smeal
55 Wm. McCauley	110 Levi Benchoof
56 John J. Beish	111 J. G. Guthrie
57 Jno. Beers	112 Isaac Beish
58 Jacob Dimeling	113 Nelson Merrette
59 Daniel Richards	114 William Waple
60 Geo. Hess	115 Joel Walstencroft
61 Daniel Smeal	116 W. H. Brady
62 Wilson Hoover	117 Henry Goss
63 Amos Souder	118 Wm. Haines
64 David W. Hess	119 Abram Wisor
65 Reynolds Everts	120 Geo. W. Shimel of H.
66 David Flegal	121 Henry Wisor
67 Geo. Aughenbaugh	122 Valentine Flegal
	123 Robert Litzs

124 Enoch McClarren
 125 Jonathan Rothrock
 126 James James
 127 James Shimel
 128 James Gallaher
 129 John Stone

130 Frank Kyler
 131 Shedrick Butler
 132 George Lowder
 133 Emery Kyler
 134 H. M. Shimel
 135 H. E. Shimel

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters of Boggs Township as it remains on file in said office, and that there are no affidavits of non-registered voters for said township on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 15th March, 1879.

ELI BLOOM,
Prothonotary.

EXHIBIT I.

Oaths of election officers.

OATH OF JUDGE.

I, George Korb, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEORGE F. KORB,
*Judge of the Election District composed of the
 Township of Bloom, in the County of Clearfield.*

Subscribed and sworn to this 5th day of Nov., 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, George L. Smith, do swear that I will duly attend the ensuing election during the continuance thereof as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law;

nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

*Inspector of the Election District composed of the
Township of Bloom, in the County of Clearfield.*

Subscribed and sworn to this 5th day of Nov., 1878, before me.

Judge.

I, John Thomas, do swear that I will duly attend the ensuing election during the continuance thereof as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN THOMAS,
*Inspector of the Election District composed of the
Township of Bloom, in the County of Clearfield.*

Subscribed and sworn to this 5th day of Nov., 187-, before me.

**Judge.*

OATHS OF CLERKS.

I, John Smith, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

*Clerk of the Election District composed of the
Township of Bloom, in the County of Clearfield.*

Subscribed and sworn to this 5th day of Nov., 187-, before me.

Judge.

I, Hugh C. Leech, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

*Clerk of the Election District composed of the
Township of Bloom, in the County of Clearfield.*

Subscribed and sworn to this 5th day of Nov., 187-, before me.

Judge.

List of voters.

(One copy, together with the "tally paper," "triplicate return sheet," and oaths of judges, inspectors, and clerks, to be put into the ballot-box; and one copy of each is to be put into an envelope, sealed up and addressed to the prothonotary at Clearfield.)

We, the subscribers, judge and inspectors of an election held at the house of Frank Averil, in the township of Bloom, in the county of Clearfield, and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Bloom, in and for said county, do certify the following names to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

GEORGE L. KORB, [L. S.]
Judge.

GEORGE L. SMITH, [L. S.]
Inspector.

JOHN THOMAS, [L. S.]
Inspector.

Attest:

JOHN SMITH, *Clerk.*

HUGH C. LEECH, *Clerk.*

1 Zachariah Bailey
2 James Henry
3 Adam Korb
4 Tobias Korb
5 A. S. Holden
6 Christian Buch
7 Lewis Wood
8 P. D. Kendal
9 John Stull
10 Francis McBride

11 John Hepburn
12 William Slawson
13 John Whitman
14 Jacob Zilliox
15 George Weber
16 Isaac Thomas
17 Henry Pentz
18 John Thomas
19 Jacob Gearhart
20 Charles Goff

21 William Force	40 Ganer Lyons
22 Valentine Bailey	41 David Gaff (age)
23 Charles Farrell	42 Franklin Orcott
24 Joseph Bloom (age)	43 Henry Beihll
25 Calvin Bilger	44 Horace G. Anderson
26 Jesse Bailey	45 Greenwood, Henry
27 John L. Smith	46 Samuel Irvin
28 George L. Smith	47 Sims Wood
29 John G. Shubert	48 William Lions
30 George Korb	49 Sidney Smith
31 Adam Weber	50 Hesacah Place
32 Isaac Bloom	51 Albert Chelson
33 Francis E. Shubert	52 Ostin McDivot
34 Hugh C. Leech	53 George A. Bloom
35 William Bloom	54 Gainer Bloom
36 John Bilger	55 Isaac Wood
37 John Kitchen	56 Alfred Bloom
38 Henry Reams	57 William Henry
39 Asa Cross	

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing is a correct copy of the list of voters and oaths of officers for Bloom Township, as they remain on file in said office, and that there are no affidavits of non-registered voters on file in said office for Bloom Township.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 27th March, A. D. 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT H.

List of voters.

(One copy, together with the "tally paper," "list of voters," "triplicate return sheet," and oaths of judges, inspectors and clerks, to be put into the ballot-box, and one copy of each of these papers is to be put into an envelope, sealed up and addressed to the prothonotary, at Clearfield.

We, the subscribers, judge and inspectors of an election held at the house of R. Mahaffey, in the township of Bell, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the township of Bell, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of February, A. D. one thousand eight hundred and seventy-eight.

JOHN BAKER, [L. S.]
Judge of Elections.

D. W. LOGAN, [L. S.]
Inspector.

WM. O'DELL, [L. S.]
Inspector.

Attest:

PHILIP O'DELL, Clerk.
W. J. MOGLE, Clerk.

- | | |
|-------------------------|------------------------|
| 1 James Meckling | 57 Andrew Daugherty |
| 2 C. N. Breath | 58 John F. Lee |
| 3 Simon Cravener | 59 Philip Shaffer |
| 4 Christopher Miller | 60 T. C. Lee |
| 5 H. L. Henderson | 61 Tim Sunderlin |
| 6 G. W. Mechley | 62 Daniel Tryer |
| 7 John Baker | 63 Solomon Reas |
| 8 G. W. Campbell | 64 Henry Deam, sr |
| 9 W. T. Campbell | 65 J. J. Davis |
| 10 H. H. McGee | 66 Wm. Orr |
| 11 John Mechley, sr. | 67 J. O. Kauffman |
| 12 Levi Sunderlin | 68 Axl Harkelrode |
| 13 Christopher Hulhihen | 69 Samuel Morehead |
| 14 G. W. Lurdley | 70 E. R. Baird |
| 15 Christopher Estriker | 71 Abraham Dehaven |
| 16 W. H. Ross | 72 John Emigh |
| 17 J. L. Campbell | 73 Isaac Rouch |
| 18 John Breth | 74 George Kauffman |
| 19 David Mott | 75 L. B. Sunderlin |
| 20 Robert Beaty | 76 J. O. Baty |
| 21 Angus Miller | 77 Peter Reathmiller |
| 22 Elias Miller | 78 G. W. Byers |
| 23 James Shaffer | 79 Wilk. Byers |
| 24 Wm. Mahaffey | 80 Joseph Young |
| 25 J. W. McGee | 81 Daniel Rouch |
| 26 T. A. McGee | 82 Jesse Weaver |
| 27 Emanuel Bouch | 83 Theodore Shaffer |
| 28 Andrew Wall | 84 John Webster |
| 29 J. B. Sunderlin | 85 M. F. Donahue |
| 30 J. M. Ross | 86 Elias Knarr |
| 31 Philip McGee | 87 Abiatha Campbell |
| 32 Henry Breth | 88 J. W. Campbell |
| 33 W. B. O'Dell | 89 Adam Cupler |
| 34 Philip O'Dell | 90 Uriah Hawk |
| 35 John O'Dell | 91 F. G. Schively |
| 36 J. A. Campbell, esq. | 92 Jeff. Sunderlin |
| 37 Ace Sunderlin | 93 E. L. Miller |
| 38 Jonathan Riddle | 94 David Bender |
| 39 J. A. Campbell, jr. | 95 Abraham Bloom |
| 40 Samuel Haul | 96 Foster Baty |
| 41 Samuel Sunderlin | 97 Frederick Reupert |
| 42 George Miller | 98 James McClinsey |
| 43 J. C. Snyder | 99 Wm. McClinsey |
| 44 Samuel Cochran | 100 Hugh McClinsey |
| 45 Jacob Snyder | 101 D. W. Logan |
| 46 T. M. Leisenbigler | 102 Wm. O'Dell |
| 47 J. S. Work | 103 Osten Baty |
| 48 S. P. Mechley | 104 Wm. B. McGee |
| 49 G. F. Weaber | 105 Adam Korb |
| 50 D. H. Snyder | 106 Andrew Ling |
| 51 G. G. Snyder | 107 John Sheridan |
| 52 Samuel McGee | 108 W. E. Wetzel (age) |
| 53 Thomas Sunderlin | 109 Thomas Miller |
| 54 D. D. Snyder | 110 James McKmanes |
| 55 Godfrey Mangold | 111 James Ifert |
| 56 Kenedy Reupert | 112 Rinehart Wetzel |

113 Albert Nicodemus	131 W. H. Hawk
114 Homer Mott	132 James McGee
115 Milt. Sheesley	133 John W. Mott
116 G. W. Mogle	134 Jack Remaley
117 James Johnson	135 Frank Mahaffey
118 Edward Sulfridge (age)	136 James Mott
119 James E. Sunderlin	137 Samuel Kauffman
120 W. J. Mogle	138 James Davidson
121 David Sunderlin	139 A. B. Holt
122 James I. Mahaffey	140 David Kauffman
123 Alx. Davidson	141 Wm. Newcomer
124 Frank Davidson	142 J. W. Johnson
125 Robert Mahaffey	143 H. J. Dean
126 Pat. McCloskey	144 Frank Mossop
127 J. W. Campbell	145 Thomas Ellis
128 J. C. Neff	146 David Tiscus
129 Em. Mahaffey	147 Able Blackburn
130 Bigler Sunderlin	

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the list of voters of Bell Township as they remain on file in this office, and that there are no affidavits of unregistered voters on file in this office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 15th March, 1879.

ELI BLOOM,
Prothonotary.

Affidavits.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, James A. Shoff, being sworn, say: That I am a native born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.
H. A. WRIGHT.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Jefferson C. Wild, being sworn, say : That I am a native born citizen of the United States ; that I am at this date at the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, John C. Root, being sworn, say : That I am a native born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, George Lightner, being sworn, say : That I am a native born citizen of the United States ; that I am at this date of the age of twenty-

one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Emmerson Patterson, being sworn, say: That I am a native born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States; he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims to vote on age under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, John C. Smith, being sworn, say: That I am a native born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Samuel Shoff, being duly sworn, say that I am a qualified voter of the election district composed of the township of Beccaria, in said county, and that I know J. W. Shoff, who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Samuel Shoff.

SAMUEL SHOFF.

Sworn and subscribed this 5th day of November, 1878, before me.
H. A. WRIGHT, *Judge.*

No. 2.

Form of affidavit to be made by native born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, James W. Shoff, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 12th day of June, A. D. 1851, in Clearfield County ; that I am and have been a citizen of the United States for one month and of the Commonwealth of Pennsylvania ; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the — day of December, 1877, in the township of Beccaria, in the county of Clearfield, in the State of Pennsylvania, and was paid on the — day of June, 1878, to county treasurer, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

J. W. SHOFF.

Sworn and subscribed this 5th day of November, 1878, before me.
H. A. WRIGHT, *Judge.*

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Jackson Kinkade, being duly sworn, say that I am a qualified voter of the election district composed of the township of Beccaria, in

*N. B.—The words in italic can be erased when not applicable.

said county, and that I know Milton Spiece, who now claims the right to vote therein, and have known him for two months and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Samuel Hegarty.

J. KINKEAD.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT.

No. 2.

Form of affidavit to be made by native born citizen not registered, but claiming right to vote under the tenth section of registry law, approved January 30 and February 13, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clearfield, ss :

I, Milton Speace, being duly sworn, say that to the best of my knowledge and belief, I was born on the 2d day of January, A. D. 1852, in Clearfield County; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election, which tax was assessed on the _____ day of _____, 187 , in the township of Beccaria, in the county of Clearfield, in the State of Pennsylvania, and was paid on the 28th day of August, 1878, to J. Kinkade, collector of taxes for said township.

M. B. SPEICE.

Sworn and subscribed this 5th day of November, 1878, before me.

H. A. WRIGHT, *Judge.*

EXHIBIT G.

Oaths of election officers.

OATH OF JUDGE.

I, Henry A. Wright, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elec-

tor shall have voted, unless required to do so as a witness in a judicial proceeding."

H. A. WRIGHT,
*Judge of the Election District composed of the
Township of Beccaria, in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov., 1878, before me.

EDM'D WILLIAMS,
Minor Inspector.

OATHS OF INSPECTORS.

I, George W. DeWalt, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEO. DEWALT,
*Inspector of the Election District composed of the
Township of Beccaria in the County of Clearfield.*

Subscribed and affirmed this fifth day of Nov., 1878, before me.

H. A. WRIGHT, *Judge.*

I, Edmond Williams, do affirm that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

EDM. WILLIAMS,
*Inspector of the Election District composed of the
Township of Beccaria, in the county of Clearfield.*

Subscribed and affirmed, this fifth day of Nov., 1878, before me.

H. A. WRIGHT, *Judge.*

OATHS OF CLERKS.

I, S. H. Hurdman, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and

carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

HOWARD HURDMAN,
*Clerk of the Election District composed of the
Township of Beccaria, in the county of Clearfield.*

Subscribed and affirmed, this fifth day of Nov., 1878, before me.

H. A. WRIGHT, *Judge.*

I, Geo. W. Rex, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEO. W. REX,
*Clerk of the Election District composed of the
Township of Beccaria, in the county of Clearfield.*

Subscribed and affirmed, this fifth day of Nov., 1878, before me.

H. A. WRIGHT, *Judge.*

List of voters.

(One copy, together with the "Tally Paper," "Triplicate Return Sheet," and oaths of judges, inspectors and clerks, to be put into the ballot-box; and one copy of each is to be put into an envelope, sealed up and addressed to the prothonotary at Clearfield.)

We, the subscribers, judge and inspectors of an election held at the Jackson Kinkade, in the township of Beccaria, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight and seventy-eight, for the election district composed of the township of Beccaria, in and for said county, do certify the following names to be a correct list of the voters at this poll.

In testimony whereof, we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

H. A. WRIGHT, *Judge.* [L. S.]
GEO. DEWALT, *Inspector.* [L. S.]
EDM. WILLIAMS, *Inspector.* [L. S.]

Attest:

HOWARD HURDMAN, *Clerk.*

GEO. W. REX, *Clerk.*

- | | |
|--------------------------|----------------------|
| 1 Joshua Comstock | 57 Wm. Keys |
| 2 Wm. Harkin | 58 Allen Weld |
| 3 F. W. Hollopeter | 59 John G. Weld |
| 4 Geo. Berger | 60 Thomas Fleck |
| 5 John Keenan | 61 Charles Fister |
| 6 James Hunter | 62 Henry Hartmeyer |
| 7 John C. Smith (age) | 63 Wm. Weld |
| 8 John Burke | 64 John Williams |
| 9 Philip Dotts | 65 Amora Smith, sen |
| 10 Howard Weld | 66 C. C. Ball |
| 11 Daniel Helsel | 67 Frederick Shoff |
| 12 John Litz | 68 L. W. Weld |
| 13 Geo. Dewalt | 69 Geo. W. Curry |
| 14 Wm. Dotts, sen. | 70 James Oshall |
| 15 Elwood Dotts | 71 Wm. Wolf |
| 16 H. A. Wright | 72 Samuel Boyce |
| 17 McDonold McGill | 73 John Bratton |
| 18 J. W. Wright | 74 Lawran Shrock |
| 19 Isaiah Haines | 75 John Lightner |
| 20 James Donough | 76 Wm. Pusey |
| 21 Thomas Cooper | 77 George Lightner |
| 22 Joseph Bear | 78 J. W. Smith |
| 23 Thomas Washburn | 79 John Dillen |
| 24 Howard Hurdman | 80 John Snyder |
| 25 Samuel Curry | 81 Jesse Oshall |
| 26 David Bear | 82 James Snyder |
| 27 James Patterson | 83 Geo. W. Dotts |
| 28 Martin Patterson | 84 Levi Oshall |
| 29 B. F. Alexander | 85 L. D. Weld |
| 30 Joseph R. Gill | 86 George Dillen |
| 31 Geo. G. Dewitt | 87 George W. Dillen |
| 32 Thomas Groon | 88 W. W. Dunmire |
| 33 T. E. Patterson (age) | 89 Jacob Spangle |
| 34 Henry B. Wright | 90 Samuel Semple |
| 35 Wm. Whitesides | 91 Isaac Tyle |
| 36 Edward Ricketts | 92 Andrew Shoff |
| 37 Wm. Holton | 93 Aaron Lyle |
| 38 A. K. Green | 94 Jacob Myers, sen |
| 39 Abraham Nevling | 95 W. P. Heverly |
| 40 Charles R. Spangle | 96 C. W. Heverly |
| 41 Samuel Spangle | 97 H. C. Heverly |
| 42 Geo. W. Bratton | 98 Abraham Smith |
| 43 Ed. Williams | 99 Andrew Whistler |
| 44 Philip Tubbs | 100 Geo. W. Rex |
| 45 J. J. Dewalt | 101 Geo. Rolls |
| 46 Joseph Troxel | 102 Samuel Shoff |
| 47 Thomas Mullen | 103 Joseph Lull |
| 48 Milton Speece (tax) | 104 Edmond Curry |
| 49 Albert Shoff | 105 A. P. Davis |
| 50 John Kough | 106 J. L. Lightner |
| 51 David McDonald | 107 J. F. Bloom |
| 52 Miles Williams | 108 Christ Kuhn |
| 53 Adam Herdman | 109 J. M. Smith |
| 54 John N. Smith | 110 J. D. Whitesides |
| 55 John M. Hunter | 111 Hugh Mullen |
| 56 Thomas Hopkins | 112 Mathew Cowen |

113 James Hegarty	167 Abram Mathews
114 James Spangle	168 Andrew Sites
115 J. D. Weld	169 Levi Bear
116 Adam Poet	170 Thomas O'Harrow
117 John Lender	171 Wm. Hollingsworth
118 J. C. Gill	172 Lazarus Armstrong
119 J. B. Dillen	173 Henry Dotts
120 Geo. H. Dillen	174 W. W. Mays
121 S. C. Patchin	175 Jester Herdman
122 John Eckel	176 Ed. Mathews
123 Joseph Dickey	177 Wm. Semple
124 Samuel Hagerty	178 Henry Hollingsworth
125 James H. Hagerty	179 S. McFarland
126 John Cleaver	180 J. E. Campbell
127 A. H. Smith	181 Alex. Jourdan
128 John Straw	182 Martin Spangle
129 John McCoy	183 J. G. Glasgow
130 E. J. Straw	184 Levi Spangle
131 Robert M. Shoff	185 George Weld
132 J. W. Shoff	186 J. C. Weld (age)
133 G. W. Bryan	187 Jerre Cooper
134 Jackson Kinkade	188 Ruel Root
135 R. J. Rex	189 David Semple, jr.
136 W. H. Bratton	190 Wm. Ball
137 Z. T. McCracken	191 Samuel Bodle
138 Robert Hunter	192 A. C. Shoff
139 Christ Fredericks	193 Jacob Copenhaver
140 Steve Fredericks	194 Wm. Lord
141 J. J. McCracken	195 John Lord
142 Morris Rumery	196 Geo. W. Caldwell
143 John Hindman	197 Wm. M. McCoy
144 David R. Stevens	198 H. L. McCoy
145 E. W. Reed	199 Alex. Tickerhoof
146 S. U. Heverly	200 Sides Shoff
147 John Davis	201 Barnabas Armstrong
148 Abram C. Smith	202 Ed. Davis
149 Miles P. Davis	203 Henry Bailey
150 John H. Weld	204 Isaiah Warrick
151 Austin Williams	205 James Fry
152 Calvin Hilton	206 Israel Pusey
153 James Haines	207 Joseph Eckel
154 James A. Shoff (age)	208 Frank Smith
155 B. F. Meckling	209 John Harden
156 John Hersh	210 H. H. Davis
157 Lemuel Root (age)	211 Wm. J. Mullen
158 John C. Root	212 Graham Patchin
159 J. F. Clark	213 W. L. Dickey
160 Peter Rissel	214 Wm. Dotts, jun.
161 Caleb Copenhaver	215 Wm. Cooper
162 James Witherow	216 James Dickey
163 John Whitesides	217 J. H. Hinkle
164 David Semple	218 Isaac Smith
165 George Croyl	219 James Crea
166 Henry Whitesides	220 John Cavanaugh

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, Eli Bloom, prothonotary of court of common pleas of county and State aforesaid, do hereby certify that the foregoing pages contain a true and correct copy of the oaths of officers, list of voters, and affidavits of unregistered voters for the township of Beccaria, as they remain on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield, this 15th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT G.

List of voters.

We, the subscribers, judge and inspectors of an election held at the school-house, in the borough of Wallaceton, in the county of Clearfield, and Commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district composed of the borough of Wallaceton, in and for said county, do certify the following names to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

ALEXANDER FRANCE, *Judge.* [L. S.]
 WM. H. LARISH, *Inspector.* [L. S.]

Attest:

WM. H. GRAFFINS, *Clerk.*
 J. W. ROSS, *Clerk.*

- | | |
|---------------------|----------------------|
| 1 Thomas Holt | 17 Frank Colegrove |
| 2 James H. Turner | 18 Frederick Campman |
| 3 J. W. Ross | 19 John Holt |
| 4 David Turner | 20 Jerome Dixon |
| 5 Martin Hegal | 21 Edward Strong |
| 6 George Emigh | 22 J. F. Brown |
| 7 P. Thare | 23 Frank Goss |
| 8 Wm. Graffins | 24 Thomas Goon |
| 9 Daniel Strayer | 25 Archey Shaw |
| 10 John Westbrook | 26 George Wetzel |
| 11 James K. Turner | 27 Abraham Humel |
| 12 L. W. Berry | 28 M. D. Ready |
| 13 Alexander France | 29 Andrew Klear |
| 14 John O'Dell | 30 Benjamin Turner |
| 15 Isaac Strayer | 31 Jacob Ulrick |
| 16 Stephen Holt | 32 George Strickland |

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify the foregoing is a correct copy of the list of voters of the borough of Wallaceton as it remains on file in said office, and that there are no affidavits of nonregistered voters on file in said office for said borough.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 27th March, A. D. 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT E.

Oaths of election officers.

OATH OF JUDGE.

I, Patrick Gallaher, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required so to do as a witness in a judicial proceeding.

PATRICK GALLAHER,
*Judge of the Election District composed of the Borough
of Osceola Mills, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

Minority Inspector.

OATHS OF INSPECTORS.

I, E. J. Duffy, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

E. J. DUFFY,
*Inspector of the Election District composed of the Borough
of Osceola Mills, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

Judge.

I, John Benner, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. F. BENNER,

*Inspector of the Election District composed of the Borough
of Osceola Mills, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

Judge.

OATHS OF CLERKS.

I, A. R. Martin, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. R. MARTIN,

*Clerk of the Election District composed of the Borough
of Osceola Mills, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

Judge.

I, Harry Goss, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector

shall have voted, unless required to do so as a witness in a judicial proceeding.

HARRY GOSS,
*Clerk of the Election District composed of the Borough
of Osceola Mills, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

PATRICK GALLAHER,
Judge.

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the within is a true copy of the oaths of officers of the borough of Osceola Mills, as they remain on file in said office, and that there are no affidavits of unregistered on file in said office for said borough.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court, at Clearfield, this 15th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT D.

List of voters.

We, the subscribers, judge, and inspectors of an election held at the school-house, in the borough of Newburg, in the county of Clearfield and commonwealth of Pennsylvania, on the Tuesday next following the first Monday of November (being the fifth day), anno Domini one thousand eight hundred and seventy-eight, for the election district composed of the borough of Newburg in and for said county, certify the following names to be a correct list of the voters at this poll.

In testimony whereof we have hereunto set our hands and seals this fifth day of November, anno Domini one thousand eight hundred and seventy-eight.

JOSEPH RAINEY, *Judge.* [L. S.]
E. R. ROSE, *Inspector.* [L. S.]
JNO. RAINEY, *Inspector.* [L. S.]

Attest:

GILBERT TOZIER, *Clerk.*
GOODWIN WORRELL, *Clerk.*

- | | |
|-------------------|-------------------------|
| 1 L. J. Hurd | 16 William Coulter |
| 2 E. B. Clemson | 17 Thomas Tozier |
| 3 Gilbert Tozier | 18 Henry McMasters |
| 4 G. W. Verus | 19 John Redden |
| 5 J. B. Worrell | 20 David Michaels |
| 6 Bigler Worrell | 21 A. L. Hurd |
| 7 John D. Miller | 22 John Klenger |
| 8 Joseph Hollen | 23 E. B. Miller |
| 9 F. M. Wood | 24 |
| 10 E. Hildebrand | 25 B. F. Markle |
| 11 Jehue Wood | 26 R. P. McFadden |
| 12 Eli Hurd | 27 W. W. Clemson, (age) |
| 13 James Coulter | 28 Wm. Hunter |
| 14 Samuel Coulter | 29 Charles Worrell |
| 15 Samuel Miller | 30 Harrison Wood |

31 Wm. Lingafelter
 32 John Rainey
 33 E. R. Rose
 34 Joseph Rainey
 35 Isaac Markel

36 Goodwin Worrell
 37 Harrison H. Hurd
 38 Samuel McFadden
 39 Thomas Tubbs

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, of the court of common pleas of the county and State aforesaid, do hereby certify that the within and foregoing pages contain a true and correct copy of the list of voters for Newburg borough as they remain on file in said office, and that there are no affidavits of unregistered voters for said township on file in this office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said court at Clearfield this 15th March, 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

Oaths of election officers.

OATH OF JUDGE.

I, A. W. Walters do swear that I will, as judge, duly attend the ensuing election during the continuance thereof and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. W. WALTERS,
*Judge of the Election District composed of the
 Boro' of Clearfield, in the County of Clearfield.*

Subscribed and sworn this 5th day of Nov., 1878, before me.

J. E. WATSON,
Minority Inspector.

OATHS OF INSPECTORS.

I, L. R. Merrell, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will, in all things, truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and

that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

L. R. MERRELL,
*Inspector of the Election District composed of the
Boro' of Clearfield, in the County of Clearfield.*

Subscribed and sworn this 5th day of September, 1878, before me.

A. W. WALTERS,
Judge.

I, James E. Watson, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JAMES E. WATSON,
*Inspector of the Election District composed of the
Boro' of Clearfield, in the County of Clearfield.*

Subscribed and sworn this 5th day of September, 1878, before me.

A. W. WALTERS,
Judge.

OATHS OF CLERKS.

I, L. H. Ale, do affirm that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

L. H. ALE,
*Clerk of the Election District composed of the
Boro' of Clearfield, in the County of Clearfield.*

Subscribed and affirmed this 5th day of September, 1878, before me.

A. W. WALTERS,
Judge.

I, B. F. Cooper, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and care-

fully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

B. F. COOPER,
*Clerk of the Election District composed of the
Boro' of Clearfield, in the County of Clearfield.*

Subscribed and sworn this 5th day of September, 1878, before me.

A. W. WALTERS,
Judge.

EXHIBIT C.

List of voters.

We, the subscribers, judge and inspectors of an election held at the court-house in the boro' of Clearfield, in the county of Clearfield and commonwealth of Pennsylvania, on the next Tuesday following the first Monday of November (being the fifth day), A. D. one thousand eight hundred and seventy-eight, for the election district, composed of the borough of Clearfield, in and for said county, certify the following to be a correct list of the voters at this poll.

In testimony whereof, we have hereunto set our hands and seals this fifth day of November, A. D. one thousand eight hundred and seventy-eight.

A. W. WALTERS, [L. S.]
Judge of Elections.

L. R. MERRILL, [L. S.]
Inspector.

J. E. WATSON, [L. S.]
Inspector.

Attest:

B. F. COOPER, *Clerk.*

L. H. ALE, *Clerk.*

- | | |
|--|--|
| <p>1 A. C. Tate
2 Isaac Southard
3 W. S. Tucker
4 John McClellan
5 John F. Irvin
6 A. J. Jackson
7 A. R. Read
8 A. A. Adams
9 A. W. Walters
10 L. R. Merrell
11 W. C. Foley
12 E. A. Leavy
13 J. L. Leavy
14 J. E. Watson
15 Wm. Tucker
16 L. H. Ale
17 B. F. Bickel
18 F. G. Harris</p> | <p>19 C. F. Cardon
20 Jno. W. Shugart
21 Casper Leipoldt
22 J. W. McKline
23 Wm. Dorvitt
24 D. M. Doberty
25 O. L. Moore
26 John Hill
27 James L. Read
28 Wm. Aughenbaugh
29 Wm. D. Bigler
30 E. Bock
31 Levi Miller
32 B. F. Cooper
33 Harry Ross
34 C. L. Barrett
35 John Livingston
36 W. V. Wright</p> |
|--|--|

- | | |
|---------------------------|----------------------------|
| 37 W. J. Hoffer | 93 J. G. Lytle |
| 38 J. I. Patterson | 94 Jona Boynton |
| 39 Geo. W. Rheem | 95 P. A. Gaulin |
| 40 Ed. Kauffman | 96 John Larimer |
| 41 W. C. Cardon | 97 W. B. Holmes |
| 42 F. K. Smith | 98 Jas. B. Graham |
| 43 D. McGaughey | 99 A. I. Shaw |
| 44 A. B. Leavy | 100 F. M. Cardon |
| 45 R. B. Taylor | 101 F. A. Fleming |
| 46 F. C. Wrigley | 102 C. H. Barrett |
| 47 Samuel Stanley | 103 A. W. Graham |
| 48 S. I. Snyder | 104 E. W. Graham |
| 49 John F. Cutler (age) | 105 A. D. Fullington |
| 50 M. D. McDrown | 106 W. Rider |
| 51 T. J. McCullough | 107 Christ Newhouser |
| 52 J. W. Doray | 108 Ross Read |
| 53 I. Grotzinger | 109 Harris Hoover |
| 54 Harry Mills | 110 James Wrigley |
| 55 Wm. Bigler | 111 F. O'L. Buck |
| 56 J. F. McKendrick | 112 Wm. R. Brown |
| 57 D. W. McCurdy | 113 Wm. Radebaugh |
| 58 G. L. Read | 114 Thomas Mills |
| 59 W. M. McCullough | 115 John L. Cuttle |
| 60 Richard Mossop | 116 Frank Hoover |
| 61 Harrison Livingston | 117 Wm. Powell |
| 62 H. E. Snyder | 118 Wm. F. Irvin |
| 63 C. D. Watson | 119 John McGaughey |
| 64 Wm. M. Shaw | 120 Henry Bridge |
| 65 J. M. Kettebarger | 121 W. Hoffman |
| 66 M. G. Brown | 122 H. F. Wallace |
| 67 H. A. Mitchell | 123 S. B. Row |
| 68 J. G. Hartswick | 124 H. S. Butler |
| 69 J. K. Wrigley | 125 Harry Shunkweiler |
| 70 W. W. Betts | 126 Fred. Sacketts |
| 71 A. B. Shaw | 127 K. Shugarts (age) |
| 72 John Cutler | 128 T. H. Murray |
| 73 J. L. Kragle | 129 Harry Hemphill |
| 74 A. F. Boynton | 130 E. M. Sheurer |
| 75 D. W. Jordon | 131 James McDonald |
| 76 S. J. Row | 132 Josiah W. Smith |
| 77 J. K. Bottorff | 133 James McLaughlin |
| 78 Israel Test | 134 Thomas Anderson |
| 79 Allen Mitchell | 135 J. B. McEually |
| 80 Cornelius Owens | 136 Robert Mitchell |
| 81 J. P. Burchfield | 137 Geo. E. Boyle |
| 82 M. N. Sloppy | 138 J. M. Marshall |
| 83 Joseph Shaw | 139 H. W. Smith |
| 84 Eli Bloom | 140 Pat. Pendegast |
| 85 C. Kratzer | 141 H. W. Park |
| 86 W. R. McPherson | 142 Geo. D. Runk |
| 87 Wm. J. Hemphill | 143 S. F. Brockbank |
| 88 Michael McDonald (age) | 144 Wm. M. McCullough, sr. |
| 89 J. S. McMurray | 145 Hugh Bratley |
| 90 Jas. A. Moore | 146 T. D. Ogden |
| 91 A. Gumsburg | 147 N. B. Lee |
| 92 Jas. Yothers | 148 Cyrus Gorden |

- | | |
|------------------------|-----------------------|
| 149 J. L. Wrigley | 205 E. M. Gumsburg |
| 150 Frank Willey | 206 J. L. R. Heighold |
| 151 V. B. Holt | 207 Walter Barrett |
| 152 Thos. Dougherty | 208 E. M. Burchfield |
| 153 David Heilburn | 209 R. A. Day |
| 154 A. M. Hills | 210 John Grewson |
| 155 R. N. Shaw | 211 John Dougherty |
| 156 M. S. Glantz | 212 Silas D. Casey |
| 157 W. G. Soper | 213 Jos. H. Dearing |
| 158 Wm. Mulhollan | 214 John Hullihan |
| 159 Robert Thompson | 215 Hugh L. Dougherty |
| 160 G. W. Reynolds | 216 T. J. Boyer |
| 161 E. A. Goodfellow | 217 M. R. Ogden |
| 162 J. M. Bloom | 218 David Johnson |
| 163 C. J. Keagy | 219 M. S. Ogden |
| 164 G. B. Goodlander | 220 D. L. Krebs |
| 165 J. M. Stewart | 221 James Alexander |
| 166 Geo. Weaver | 222 H. A. Kratzer |
| 167 Howard Kramer | 223 Cyrenus Howe |
| 168 James Sutton | 224 John F. Weaver |
| 169 Harry Powell | 225 Andrew Pentz |
| 170 Barney Clark (age) | 226 John K. Johnson |
| 171 Thos. W. Moore | 227 D. S. Wagoner |
| 172 J. C. Whitehill | 228 D. W. Moore |
| 173 Thos. B. Boy | 229 G. W. Gearhart |
| 174 Ezra Ale | 230 A. Jackson Sanich |
| 175 Robert Shirk | 231 Wm. T. Wilson |
| 176 H. F. Bigler | 232 Wm. A. Hagerty |
| 177 Thos. Cooper | 233 Wm. Read |
| 178 A. F. Logan | 234 A. A. Graham |
| 179 Wm. Carson | 235 John Kittlebarger |
| 180 John M. Hastings | 236 John Porter |
| 181 Smith V. Wilson | 237 John Sheiffer |
| 182 Wm. Oliver | 238 James A. Mullen |
| 183 Thos. Mullen | 239 L. K. McCullough |
| 184 Chas. Mignot | 240 Warren Thorn |
| 185 Isaac Johnson | 241 Wm. H. Dill |
| 186 A. M. Row | 242 Michael Connly |
| 187 James Irvin | 243 W. S. Burge |
| 188 F. G. Chorpennning | 244 James Pendegrast |
| 189 John Stadler | 245 Thos. Clarey |
| 190 G. R. Barrett | 246 William Porter |
| 191 A. F. Martin | 247 Timothy Hennessey |
| 192 G. D. Goodfellow | 248 Samuel Berger |
| 193 James Clarey | 249 Simon Schloss |
| 194 Alfred Mitchell | 250 Edward Barger |
| 195 James T. Leonard | 251 Wm. B. Lowman |
| 196 H. B. VanValzah | 252 Lewis Lawhead |
| 197 Robins Taylor | 253 James Kerr |
| 198 Joshua Flaharty | 254 Andrew Harwick |
| 199 John Barclay | 255 Henry Cryder |
| 200 S. S. Butters | 256 James Mitchell |
| 201 Geo. C. Passmore | 257 James R. Ogden |
| 202 James H. Dougherty | 258 John McNamara |
| 203 Jack Hagerty | 259 James McMath |
| 204 Alfred Shirk | 260 Wm. Jones |

261 Edward Hill	308 Joseph Custard
262 C. C. Myers	309 Philip Kittlebarger
263 E. A. Bigler	310 J. H. Shope
264 Thos. Riley	311 Wm. Hall
265 R. H. Shaws	312 C. W. Smith
266 Wm. A. Wallace	313 Thos. Robins
267 E. C. Johnson	314 T. A. Fleck
268 Geo. W. Johnson	315 Jas. H. Lytle
269 L. A. Wright	316 H. B. Spackman
270 Elliot Pentz	317 Richard Shirk
271 Joseph Burchfield (age)	318 Thad. Shaw
272 Edward Passmore	319 J. H. Martin
273 W. W. Walton—Watson	320 Daniel Benner
274 J. I. Adams	321 M. B. Spackman
275 John Troulman	322 Robert Lanach
276 Edwin Cooper	323 Fred. Johnson
277 Newton Read	324 John A. Stock
278 Jos. Whitman	325 Frank McDermott
279 M. Shirk	326 John Kragle
280 John W. Wrigley	327 Freeze Lary
281 A. B. Read	328 Thos. Duckett
282 Geo. C. Moore	329 A. F. Mitchell
283 Geo. D. Lanich	330 Charles Irvin
284 W. E. Wallace	331 M. S. Bottorf
285 C. H. Aughenbaugh	332 W. S. Bradley
286 M. G. Rook	333 George Jordon
287 John F. Kramer	334 Jesse Brown
288 Jacob Moore	335 J. D. Smoke
289 George Thorn	336 George S. Young
290 Joshua Kephart	337 W. Endres
291 D. R. Fullerton	338 R. G. Leary
292 John Kuhn	339 A. J. Logan
293 James Bahan	340 L. J. Morgan
294 James Cooper	341 Daniel Leipoldt
295 Fred'k Leitzenger	342 Joseph B. Laouner
296 B. C. Youngman	343 H. F. King
297 Henry Wining (age)	344 Richard Kennard
298 J. F. Snyder	345 J. M. Labar
299 John M. Adams	346 John McMath
300 Michael Kelly	347 Patrick Herbert
301 Jos. H. Jones	348 C. A. McCauley
302 A. E. Leitzinger	349 Wm. A. Barr
303 J. F. Powell	350 A. B. Weaver
304 Joseph B. Brown	351 Samuel Duff
305 Robert Montague	352 R. McPherson
306 James P. Staver	353 John Sunmons
307 John Gulich	354 Amos Kennard

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, Eli Bloom, prothonotary of the court of common pleas of county and State aforesaid, do hereby certify that the within and foregoing pages contain a true and correct copy of the lists of voters and oaths of officers as they remain on file in said office, and that there are no affidavits of non-registered voters for said borough on file in said office.

In testimony whereof I have hereunto set my hand and affixed the

official seal of said court, at Clearfield, this 27th day of March, A. D. 1879.

[SEAL.]

ELI BLOOM,
Prothonotary.

EXHIBIT A.

*Register of voters residing within the election District of Ferguson Township,
Clearfield County Pa., for the year 1878.*

Anderson, James	48 Mitchell, Geo.
1 Bell, Warren	49 McCracken, D. S.
2 Blown, Math.	50 Michaels, Ellis
3 Bell, Grier	51 McCracken Ross
4 Barrett, Luther	52 McCracken, Al.
5 Barrett, Wash.	53 Moore, Robt.
6 Barrett, Alcand	54 Michaels, Robt.
7 Barrett, Wm.	55 Moore, Jno.
8 Bell, Carter	56 Moore, Wm. T.
9 Barrett, Geo.	57 McCully, Geo.
10 Barrett, Edmund	58 McCracken, F. B.
11 Barrett, Calorie	59 Moore, Milton
12 Bloom, Jonas	60 McCracken, Wm.
13 Bloom, James	61 Moore, Allen
14 Beers, Lewis	62 McMasters, D.
15 Bloom, Milton	63 Michaels, Jack
16 Barrett, Conrad	64 McCracken, Jona.
17 Cross, Fredk.	65 McCracken, Zeth.
18 Davis, Clemson	66 McMichaels, David
19 Dillon, James	67 McCracken, J. F.
20 Ferguson, Alex.	68 McCreary, Jno.
21 Ferguson, Jno. C.	69 Norris, Thos.
22 Ferguson, J. H.	70 Owens, Thomas
23 Ferguson, Jas.	71 Owens, Henry
24 Fink, Geo. W.	72 Owens, Emery
25 Glenn, James	73 Owens, James
26 Glenn, Harvey	74 Owens, A. W.
27 Henry, Josiah	75 Passmore, Hiram
28 Hile, John	76 Read, William
29 Hile, Lewis	77 Ross, Robt.
30 Henry, Math.	78 Read, Emerson
31 Lewis, Eastin	79 Read, Jno. F.
32 Lewis, Thos. H.	80 Read, D. R.
33 Lewis, Thos.	81 Read, Chas.
34 McCracken, Freak	82 Replogle, Mad.
35 McCracken, W. B.	83 Strunk, E. L.
36 McCracken, Hez.	84 Smith, W. H.
37 McCracken, Walter	85 Straw, Christ.
38 McCracken, Philip	86 Straw, Enoch
39 McCracken, W. G.	87 Straw, Geo.
40 Moore, Joseph	88 Snyder, Jno.
41 Moore, William	89 Straw, Jno. T.
42 McFadden, Jas.	90 Shaffer, Ed.
43 McCracken, Hiram	91 Shoff, C. J.
45 McCracken, Lewis	92 Straw, Jas. N.
46 McCracken, Frank	93 Solly, Jno.
47 Moore, Isaac	94 Strunk, Oliver

95 Sterling, Wm.
 96 Shirk, Peter
 97 Strunk, James
 98 Shaffer, Cornelius
 99 Solly, Thomas
 100 Straw, James
 101 Smith, Add.
 102 Tubbs, Cornelius
 103 Tubbs, Nicholas
 104 Tobias, Samuel
 105 Tubbs, Christ
 106 Tubbs, Hiram
 107 Tobias, N. C.
 108 Williams, Jno. S.
 109 Watts, M.

110 Williams, Geo.
 111 Wiley, M. T.
 112 Witherite, Michael
 114 Williams, J. G.
 115 Wood, Thos. D.
 116 Witherite, Mark
 117 Williams, W. T.
 118 Witherite, Barney
 119 Williams, Branson
 120 Wise, D. A.
 121 Wise, James
 122 Wood, Wm.
 123 Young, Albert
 124 Young, Jno.

September resistry.

Barrett, Wm. C.
 Michales, David
 Solly, Thomas

Shafer, Cornelius
 Williams, E. B.

STATE OF PENNSYLVANIA,

County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of the county of Clearfield, Pennsylvania, and as such having custody of the seal of said county, do certify, after comparison and examination, that the within pages contain a true copy and correct transcript of the list of voters for the township of Ferguson, as the same remains of file in the office of the county commissioners of said county, and that there is no other registry list of voters for the election held on the 5th November, A. D. 1878, and the only list of voters on file in said office for the township of Ferguson, Clearfield County, Pa., for said election.

In testimony whereof I have hereunto set my hand and affixed the official seal of said commissioners of the county of Clearfield this 25th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

EXHIBIT B.

Register of voters residing within the election district of Greenwood Township, Clearfield County, Pa., for the year 1878.

Bell, Framplin
 Bell, Jno. W.
 Bell, Winfield
 Bell, Jefferson
 Campbell, Ogden
 Coulter, J. F.
 Curry, Job
 Clary, James
 Carson, John
 Campbell, Frank
 Diehl, B. F.
 Dickey, Geo. W.
 Derick, John
 Freys, Jacob

Framplin, James
 Freeman, A. J.
 Goldthread, Al.
 Hoover, Mins.
 Hoover, L. L.
 Hullihen, Chas.
 Harlet, Jno. W.
 Hoover, Z. L.
 Hullihen, Courad
 Hamilton, H. H.
 Hess, Washington
 Hoover, W. C.
 Hullihen, Mathias
 Hullihen, Christ.

Hoyt, J. P.
 Hoover, Calvin
 Hollis, Soloman
 Johnson, Jno. Quincy A.
 Johnson, Wm. A.
 Johnson, Ela
 Johnson, James
 Johnson, Jno. S.
 Johnson, M. W.
 Johnson, D. H.
 Johnson, J. A.
 Johnson, W. P.
 Johnson, Francis
 Johnson, Francis D.

Johnson, Manassah	Newcomer, Joseph	Stevenson, James
Kester, Franklin	Newcomer, Josiah	Snyder, D. H.
Kester, Wm.	Passmore, Geo. M.	Thorp, Charles
Kester, Amos H.	Passmore, Warren	Thompson, Aaron
Kester, Isaac M.	Passmore, Eli	Tate, Amos B.
Kester, Jesse	Passmore, Joseph	Thompson, R. C.
Lee, David	Robins, John	Thompson, Thos. J.
McCowan, J. S.	Robins, Job	Thompson, Bloom
McCracken, Geo. D.	Rolls, Jno. A.	Vanhorn, Saml.
McCracken, David	Ross, George	Wiley, David
McCracken, Wilson	Ross, Westley	Wiley, James
McCracken, C. R.	Rolls, W. W.	Wiley, Daniel
Mitchell, David	Ross, Milton	Wiley, A. L.
Mills, John	Reed, Samuel	Wiley, Joseph M.
McCracken, Grier	Smith, Wm.	Wagoner, H. C.
McCracken, Harry	Smith, Thomas	Young, Nelson
McCracken, Danl.	Sawyer, Frank	Young, David
McCracken, Leonard	Stephens, Wallace	Young, Saml.
Mort, Jefferson	Sharp, H. D.	Young, John
Newcomer, A. H.	Sharp, Marion	

September registry.

Campbell, Lemuel	Murphey, Adams T.	Mort.
Johnson, Miles	Thompson, John	Baker.

STATE OF PENNSYLVANIA,
County of Clearfield, ss :

I, John W. Howe, clerk of the commissioners of Clearfield County, Pennsylvania, and as such having custody of the seal of said county, do certify, after comparison and examination thereof, that the within pages contain a true copy and correct transcript of the registry list of voters of and for the township of Greenwood, as the same remains on file and made for the election held on the 5th November, A. D., 1878, in said township, and that there is no other registry list for said township of Greenwood on file in the office of the county commissioners, and no other registry list for said election on file in said office.

In testimony whereof I have hereunto set my hand and affixed the official seal of said commissioners of the county of Clearfield this 25th day of March, A. D. 1879.

[SEAL.]

JNO. W. HOWE, *Clerk.*

TESTIMONY IN BEHALF OF THE CONTESTEE.

In the matter of the contested election in the twentieth Congressional district of Pennsylvania, for a seat to represent said district in the House of Representatives of the United States of America, in the Forty-sixth Congress.

Depositions of witnesses taken before W. N. Prothero, a notary public of the State of Pennsylvania, a resident of the town of DuBois, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the court-house in the borough of Clearfield, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, contestee, on the 25th day of February, A. D. 1879.

TIM REILEY sworn.

Question. Where do you reside?—Answer. Curwinsville Borough, Clearfield County, Pennsylvania.

(Counsel for contestant object to the taking of the testimony of the witness now sworn, so far as the same relates to frauds or irregularities in the election in Curwinsville Borough at the general election held on November 5th, 1878, for the reason that in the answer of the contestee to the notice of contest served upon him by Hon. A. G. Curtin, that he would contest his right to a seat in the Forty-sixth Congress of the United States, as Representative for the twentieth Congressional district of Pennsylvania, there are no specifications or allegations of fraud or irregularities at said election in Curwinsville Borough, and no allegation or charges were made that illegal votes were cast for contestant at said election in said borough.)

Q. Do you reside in Curwinsville Borough, or Pike Township, immediately outside of Curwinsville Borough?—A. I reside in Pike Township, about four rods outside of the borough line.

Q. Did you vote in Pike Township, Clearfield County, Pennsylvania, at the general election held November 5, 1878?—A. Yes.

Q. For whom did you vote at said election for Congress?—A. Curtin.

Q. Where were you born?—A. Ireland.

Q. When?—A. Twenty-eight years ago next March.

Q. How old were you when you came to the United States?—A. About twenty-two or twenty-three years of age when I came to the country.

Q. Have you ever been naturalized?

(Objected to by counsel for contestant, for the reason that, in his answer to notice of contest, contestee does not allege that any unnaturalized persons voted at said election for contestant in Pike Township, Clearfield County, Penn.)

A. No.

Cross-examined:

Q. Was your vote challenged?—A. No.

Q. Have you within two years paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. I paid tax last fall.

(Objected to by counsel for contestee, because it is not cross-examination.)

Re-examined:

Q. To whom did you yourself pay tax last fall?—A. Constable Bloom.

Q. When did you get your receipt, and from whom did you get it?—A. I got it a few days after I paid the tax, from Mr. Bloom.

Q. When, as near as you can tell, did you pay the tax to Bloom?—A. I paid it right away after the primary election.

Q. Have you that receipt with you?—A. No, I have not. I lost it.

Q. Did you yourself pay that tax in money to Bloom, or did not some one else pay it for you?—A. I did not put the money in his hands myself, but left the money at my house with my wife. I was present when my woman brought the money out and paid it to him.

Q. When was this tax paid by your wife, giving date and month, as near as you can tell?—A. It was paid just after primary election. I can't give the date.

Q. Did Arnold Bloom have anything to do or say about your taxes?—A. I don't know him.

Recross-examined :

A. If the primary election was in September, 1878, were your taxes paid in that month?—A. I think the taxes were paid in the latter end of that month.

Re-examined :

Q. Did you get your tax-receipt at the time your wife paid the tax?—A. No, sir; not right away when the tax was paid.

Q. Where were you and Bloom when he gave you the receipt?—A. I was at work, and he left the receipt with my wife.

Q. Did you see Bloom, the collector, give the receipt to your wife?—A. No.

Q. Can you swear that it was the Bloom the collector who left that receipt with your wife?—A. I can swear it was Constable Bloom that left the receipt with my wife.

Q. When did your wife, giving date, give you the receipt?—A. I received the receipt the evening I came home from work. I don't remember the date.

Q. Was this not about the time of the general election of November 5th, 1878?—A. It was away before the general election.

Q. How long before the election?—A. You can guess it yourselves as well as I can; the tax had been paid right after the primary election.

Q. Did you pay any other State or county tax within two years preceding the election of November 5, 1878?—No; I only paid the last State and county tax.

Recross-examined :

Q. Did you read your ticket before voting?—A. No; I did not.

Q. Then how do you know for whom you voted at said election for Congress?—A. I voted for Curtin.

Q. How do you know you did?—A. I got the ticket to vote for him, is all I know.

Q. You depend, then, do you, upon what others told you, for your knowledge of whom you voted for Congress?—A. Yes, I do.

Re-examined :

Q. From whom did you get the ticket that you voted?—A. I can't tell his name.

Q. Did you ask for a Democratic ticket?—A. Yes.

Q. Did you receive the ticket you asked for, and did you vote it?—A. Yes.

Recross-examined :

Q. Do you know that you received a Democratic ticket?—A. I asked for it and I expect I got it.

Q. Do you know that the person from whom you got your ticket was not a Republican and working for Yocum?—A. I don't know.

Re-examined :

Q. Was not the person who gave you the ticket a Democrat?—A. Yes; I expect he was.

Recross-examined :

Q. Do you know he was a Democrat?—A. I couldn't swear to it. And further saith not.

TIM REILEY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOSEPH ADELSPERGER sworn.

Question. Where do you reside?—Answer. I reside in White Settlement, Clearfield County, Pennsylvania.

Q. Is or is not what is known as the White Settlement in Pike Township?—A. It is in Pike Township.

Q. How old are you?—A. Twenty-seven the 29th day of July, 1879.

Q. When did you come into the State of Pennsylvania to reside?—A. The 6th or 7th day of last May.

Q. Have you paid a State or county tax which was assessed at least two months and paid at least one month before election of November 5, 1878, and which was paid within two years preceding said election?—A. No, sir.

Q. Did you vote in Pike Township, Clearfield County, Pennsylvania, at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Mr. Curtin.

Cross-examined:

Q. Did you read your ticket which you voted at the November election in Pike Township?—A. I didn't read it full. I didn't look all over it. I saw it was a Democratic ticket. I merely put Mr. Norris's name in place of one of the other commissioners.

Q. Were you born in Pennsylvania?—A. No, sir.

Q. Had you resided in the State previous to last May?—A. Yes, sir.

Q. Had you ever voted in the State before November last at any general election?—A. Yes, sir.

Q. When did you first come to Pennsylvania?—A. I can't be certain about the date, but think it was in 1873.

Q. Did you remain in the State for one whole year, or was your home in the State for one whole year?—A. Yes, sir.

Q. Had you paid any State or poll tax within two years preceding November 5, 1878, in this State, or in any other State?—A. Yes, sir.

Q. Where?—A. At Osceola, Clearfield County, Pennsylvania.

Q. When?—A. It was the fall that Mr. Wallace run on the ticket.

Q. Was it after the Presidential election of 1876, when Tilden and Hayes were candidates for the Presidency?—A. No, sir.

Q. Did you pay tax in this or any other State after that election?—A. No, sir.

Q. Did you reside in this State at least six months before the election of November 5, 1878, and when you say you came into this State on May the 6th or 7th, 1878, do you not mean that you arrived in Clearfield County at that date?

(Objected to by counsel for contestee, because the question indicates a purpose to mislead the witness, because he has already testified that he did not come into this State until May 6 or 7, 1878.

Objection or statement of counsel for contestee is objected to for the reason that it seeks to answer the question for the witness, and is placed in the form of an objection for a mere pretext.)

A. I mean that I arrived in Clearfield County at that date.

Q. How long before you arrived in Clearfield County did you arrive in this State?—A. I arrived in this State on the 5th of May, 1878.

Q. Did you remain in the State from that time until after the election of November 5, 1878?—A. Yes, sir.

Q. Was your vote challenged?—A. No, sir.

Q. Were you asked to produce a tax-receipt?—A. No, sir.

Q. Was your name, if you know, upon the registry of voters for 1878, in Pike Township, Clearfield County, Pennsylvania?

(Objected to by counsel for contestee, because it is not the best evidence.)

A. I don't know if it was or no.

Re-examined:

Q. Have you paid any State or county tax since 1875 or before?—A. Yes, sir.

Q. Did you pay any such tax in State of Pennsylvania since 1875?—A. My memory is not good enough to recollect. It was the fall that Mr. Wallace ran for the senate.

Q. Did you vote for Mr. Wallace the fall that you paid that tax, and was that the last State or county tax that you paid?—A. Yes, sir.

Q. How long were you out of this State, immediately prior to May 6 or 7, 1878?—A. I left this State in January, 1875. I returned on the 5th of May, 1878.

Q. Where was you from January, 1875, to May, 1878? I mean what State was you in?—A. In the State of Maryland.

Q. Did you see Curtin's name on the ticket you voted November 5, 1878?—A. Yes, sir.

Recross-examined:

Q. Did you reside in Pike Township at least two months before the election of November 5, 1878; that is, Pike Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Were you ever notified that your taxes were unpaid?—A. No, sir.

Q. Would you have paid the same had you known they were unpaid?—A. Yes, sir.

And further said he not.

JOSEPH ADELSPERGER.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN T. STAGE affirmed.

Q. Where do you reside?—A. Pike Township, Clearfield County, Pennsylvania.

Q. Did you vote in Pike Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I voted for Curtin.

Q. Have you, within two years preceding said election, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. When did you pay such tax?—A. I paid my tax before the Presidential election.

Q. Did you pay it long enough before the said Presidential election to give you a right to vote at that election?—A. I had my tax paid up to that time all but 50 cents. A receipt was handed me for the 50 cents by a friend that said that would entitle me to a vote. I went down the day this receipt was given to pay it, and when I got there I met the man who paid it, and he gave me the receipt.

Q. Was not that tax paid before the time had expired which would give you a right to vote at Presidential election of 1876, upon payment of taxes in due time?—A. I got a notice that the taxes would have to be paid at a certain time, or I would not get a vote.

Q. Was that tax paid in time to give you a vote in November, 1876,

and did you not vote on such payment of taxes at said election of 1876?

—A. Why, of course, I voted on said taxes.

Q. Have you paid any State or county tax since that time?—A. I ain't prepared to say. I paid some tax—I paid some of it; I don't know how much.

Q. What taxes did you pay within two years immediately preceding the general election of 1878, and to whom?—A. I paid part of my school tax to M. L. C. Evans, and about the rest of the tax I am not prepared to say.

Q. Did you pay any of your State and county tax within two years preceding the election of November 5, 1878?—A. I don't know whether I did or not.

Q. Did you pay any taxes to David McGaughey, county treasurer, in either of the years of 1876, 1877, or 1878?—A. I don't recollect whether I did or did not.

Q. After thinking the matter over, don't you recollect that you did not pay any taxes for those years to McGaughey?

(Objected to by counsel for contestant because the question is leading and unfair to the witness.)

A. I paid it to somebody; that is, I paid to Jo. A. Dale.

Q. When in 1876 you paid your State and county taxes, did not that pay all such taxes up to and including that year?—A. It paid up to the Presidential election.

Q. Have you at any time since 1876 paid any State or county taxes to Lewis I. Bloom, the collector?—A. I think not.

Now, 12.15 p. m., adjourned to 1 o'clock p. m. of this day.

Now, 1.15 p. m., examination resumed, and witness JOHN T. STAGE on the stand:

Q. Was the tax which you paid in the fall of 1876 the last State or county tax which you have paid?—A. That is the last I paid in full.

Q. To whom have you paid since that time any State or county tax, or part of such tax?—A. I don't know that I paid it to any person, that is State or county tax.

Q. Are or are you not certain that you did not pay to Louis J. Bloom, the collector, any State or county tax within two years preceding the election of November 5, 1878?—A. I am not positive; he was talking to me about the tax, and whether I paid him any or not I don't know.

Q. That is your best recollection as to paying these taxes to Bloom, and do you think you did or did not?—A. I know I didn't pay it all.

Q. Did or did you not meet and talk with Arnold Bloom just before you voted; and, if so, what was said?—A. Well, about what was said, he asked who I was going to vote for. I told him I was going to vote for Curtin. Then he said, "If that is the way you're voting, come along to the window, and there will be no trouble, as there is some trouble about your tax." That was about all the conversation we had.

Q. Did or did not Arnold Bloom say that you could not vote because of non-payment of taxes, but if you would vote for Curtin he would see that he got your vote, and did you not reply to him that you intended to vote, if you voted at all, for Curtin?

(Counsel for contestant objects to the question for the reason that it is leading, and that counsel by his question assumes that the witness has testified that Arnold Bloom came to him and said that if he would vote for Curtin he would see that he would get his vote, whilst the witness has testified that Arnold Bloom asked him how he was going to vote, to which the witness replied that he was going to vote for Curtin,

to which Bloom said, "Come along to the window and there will be no trouble.")

A. I told you all that I could recollect that was said, as near as I could mind.

Q. Did Arnold Bloom walk with you to the window when you voted, and what did he do?—A. I told you what he said; done nothing more than nod his head.

Q. Did he or did he not nod his head in the direction of the window where the election board was sitting?—A. That is what I meant, he nodded towards the board.

Q. Did the board of election or any of them ask you any questions as to your right to vote?—A. No, sir.

Cross-examined:

Q. Were you registered as a voter in Pike Township, Clearfield County, for the year 1878, if you know?—A. I expect I was; I didn't see it on paper.

Q. How long have you resided in Pike Township?—A. Ever since 1822 or 1823.

Q. Have you been a voter at the general elections for a number of years past?—A. Never missed but two elections since I was old enough to vote.

Q. Did you vote at the general election of 1874, 1875, 1876, 1877, and 1878?—A. I voted at all these, I think.

Q. Did any one pay your taxes for you within two years preceeding 5th November, 1878?—A. Coates Evans paid a tax for me, but whether it was within that time or not, I don't know.

Q. To whom did he pay it?—A. He paid it to some one of the collectors at Curwinsville. I don't recollect who.

Q. Might it have been paid to the county treasurer or Lewis J. Bloom?—A. County treasurer, I think.

Q. Did you pay any tax in 1877?—A. I don't know whether I did or not.

Q. Are you certain you did not?—A. No, I am not.

Q. Did you pay any tax in 1876, and after the Presidential election at which Tilden & Hayes were candidates for the Presidency?—A. My tax was all paid up till the last Presidential election.

Q. Did you not yourself or some one for you pay taxes in 1878?—A. I paid part of my school-tax.

Q. Did you not pay other taxes?—A. I am not positive whether I did or not.

Q. Were not your taxes paid to Lewis J. Bloom by some one for you?—A. I hope they are paid, but I never heard of it.

Q. Might you not have paid your State and county taxes or made arrangements to pay them to Lewis J. Bloom at the time you had a conversation with him of which you speak in your direct examination?—A. I am not positive I ever paid him anything.

Q. Did you not pay either a State or county tax after the Presidential election of 1876?—A. I am not positive whether I did or not.

Q. Was your vote challenged?—A. No, I think not.

Q. Did you read your ticket?—A. I expect I did or I wouldn't have known who I was voting for.

Q. Did you go to Lewis J. Bloom or did you say to him, at least one month before the election, that you was ready to pay your tax?—A. Have not any recollection of it at all.

Q. Did he ever say to you anything about the payment of your taxes?

—A. I think I told him, I am not certain, that I would be able to pay my tax again the election; he said it would be all right, or something to that purpose.

Q. Did he say to you that your tax had been arranged by some one?—

A. He did not.

Q. Did you ever refuse or say that you would not pay your State or county tax?—A. I never did to my recollection.

Re-examined :

Q. Were or were not the taxes which you have stated that Coates Evans paid for you paid some time before the last Presidential election?

—A. I am not able to say.

Q. How did Coates Evans come to pay your taxes?—A. I suppose that he owed me at the time.

Q. Cannot you fix near the time, and was it not in 1875 or before the time.

(Objected to by counsel for contestant because the question is leading and calculated to mislead the witness.)

A. I don't recollect the time at all when it was.

Q. What is your best recollection; was it or not in 1875 or prior thereto?

(Objected to by counsel for contestant for the reason that witness has already testified that he cannot recollect the time.)

A. I don't recollect.

And further saith not.

JOHN T. STAGE.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

THOMAS J. FROW sworn:

Question. Where do you reside?—Answer. Curwinsville, Clearfield County.

(Counsel for contestant objects to the taking of the testimony of this witness now sworn, relative to any frauds or irregularities at the general election of November 5, 1878, in the borough of Curwinsville, for the reason that in his answer to the notice of contest served upon him by A. G. Curtin, that his right to a seat as Representative for the twentieth Congressional district of Pennsylvania, in the Forty-sixth Congress of United States, would be contested, contestee made no charges or allegations of frauds in the election in the borough of Curwinsville, county aforesaid.

Counsel for contestee objects to the foregoing statement which is made under the cover of an objection, and is a frivolous pretext, and made for the purpose of delay, because no offer has yet been made to prove by this witness that there were any frauds or irregularities in Curwinsville.

Counsel for contestant deny the truthfulness of the foregoing objection or statement of counsel for contestee.)

Q. Did you reside there on November 5, 1878, and did you vote at the general election held that day?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Is the place of election for Pike Township in Curwinsville Borough, and was it so November 5, 1878?—A. It is and was.

Q. Did you or did you not have any conversation with Lewis J. Bloom, the collector of State and county taxes for Pike Township, within thirty days preceding the election of November 5, 1878?

(Objected to by counsel for contestant as immaterial and irrelevant.)

A. I did not.

Q. Do or do you not know of taxes being paid or assumed to Lewis J. Bloom, collector, by Arnold Bloom?—A. I do not.

Q. Do or do you not know of taxes being assumed or paid for persons who were expected to vote for Curtin by any one?—A. I do not.

Q. Did you or did you not say to or in the presence of Hon. John Patton that some taxes for voters in Pike Township had been assumed by you or some one else to your knowledge, or words to that effect?—

A. As to my knowledge, I know nothing at all about it. General Patton was in the store of J. C. Wright & Co. in Curwinsville one day; we had a talk in regard to the making out tax receipts for Wm. C. Arnold on the day before the election. General Patton said that these taxes had been assumed thirty days before the election, and I remarked to him that Arnold Bloom had come to me some time before the election, probably two months, not less than two months, with a list of the Democratic voters of Pike Township who had not paid their taxes. I advised him to send the list to Mr. Test, who is chairman of the county committee. It is probable that I did tell General Patton that I had heard Arnold Bloom say that he had assumed payment of some taxes to Lewis J. Bloom. This conversation is to the best of my recollection.

Q. Did or did you not say to Patton in substance that some taxes for Democratic voters had been assumed in the same way as W. C. Arnold had assumed taxes for Republican voters?—A. I have stated in the conversation already testified to all that I remember.

Q. Do you or do you not know through Arnold Bloom or any one else of taxes having been paid for Democratic voters within thirty days preceding election of November 5, 1878?—A. How can I know a thing through another man?

Q. Did you hear of any such taxes having been paid?

(Objected to because it is hearsay.)

A. I think Arnold Bloom told me that he had assumed some taxes.

Q. Have you any knowledge or have you heard any person say that taxes for Democratic voters had been paid less than thirty days prior to said election?—A. I have not.

Q. When, and was it within thirty days of said election that Arnold Bloom told you he had assumed taxes?—A. I don't remember.

Q. What is your best recollection?—A. My recollection is that it was after the election.

Q. Do you know Olmstead Lewis, of Pike Township, Clearfield County, Pennsylvania?

(Objected to by counsel for contestant because it is immaterial and irrelevant.)

A. I know a colored man who goes by the name of Olmstead Lewis.

Q. Did you or did you not, within a short time prior to the election of November 5, 1878, offer or agree to give said Olmstead Lewis a bed-quilt or hap if he would vote the Democratic ticket at said election?—

A. I did not; he pretended to be a Democrat before said election, and it would be folly in me to buy a man to vote the ticket of his choice.

Q. Prior to said election had not said Lewis been known as a Republican?—A. I know nothing about it except what he told me and other Democrats and Republicans.

Q. Did he (Lewis) say to you before said election that he had been a Republican?—A. He told me that he had, but never intended to vote that ticket again.

Q. Did or did not Olmstead Lewis receive a bed-quilt or hap from you a few days (or a short time) after the said election?—A. He did not.

Q. Did he receive such quilt or hap from any one in the store of J. C. Wright & Co., in which store you are engaged?—A. Mr. Wright told me some time after the election that he had gotten a hap from him. I knew nothing about it until I had understood that Wm. C. Arnold had him make a deposition before Squire Barr, in which he stated that he had received a hap from me for voting the Democratic ticket.

Q. Did or did not said Lewis pay for said quilt or hap, and is or is not he charged with it on the books of J. C. Wright & Co.?—A. I think he has not paid for it, and it is not charged on the books of J. C. Wright & Co. to the best of my knowledge.

Q. Do you or do you not know John Appleton of Pike Township, Clearfield County, Pennsylvania?—A. Yes; I know him.

Q. Was he in the store of J. C. Wright & Co. in Curwinsville on the day of the election of November 5, 1878?—A. I do not remember, but think not.

Q. Did or did not Arnold Bloom, in said store, in your presence, on November 5, 1878, say to said John Appleton in substance as follows: "Appleton, if you will vote the Democratic ticket we will give you \$3 worth of goods out of J. C. Wright & Co.'s store and \$1 in cash"?—A. I remember of no conversation of the kind.

Q. Did or did not Arnold Bloom then say to you in substance as follows: "We will do it, won't we Frow?" and to which you replied, "Yes; we will do it"?—Ans. I am positive there was no such conversation occurred.

Q. How much money did you receive, if any, during last fall for campaign purposes?—A. Not one cent.

Q. Were you in the borough of Curwinsville on Sunday, February 16, 1879?—A. Very probable that I was.

Q. Did you on that day see John W. Wrigley, of Clearfield Borough, in Curwinsville?

(Objected to by counsel for contestant as immaterial and irrelevant.)

A. I do not remember whether that was the day or not. I seen him one Sabbath in February.

Q. Did or did not you and said John W. Wrigley on some Sunday of this month go to the depot and telegraph office in Curwinsville Borough?—A. We did not, nor have we been at the telegraph office in the borough of Curwinsville together since the election.

Q. Were you in the said telegraph office on any Sunday of this month?—A. I was not.

Cross-examined:

Q. Will you please explain, as far as you can, how Olmstead Lewis came to get the hap from the store of J. C. Wright & Co.?—A. When I heard that Olmstead Lewis had made an affidavit stating that I had given him a hap for voting the Democratic ticket, I told him that I had a notion of having him arrested for perjury. I said to him that he had never gotten a hap from this store. He said that he had, that he had gotten one from Mr. Wright the day after the election. I then spoke to Mr. Wright about it. Mr. Wright told me that Lewis had come into the store the day after the election and asked him whether Arnold Bloom had left him a credit \$3. He told him that he had not. The next day Olmstead Lewis came into the store again and told him he was to get a hap, and he, Mr. Wright, supposed that he was getting it on the credit of Arnold Bloom. This was the first I knew of him getting the hap.

Q. Then you never gave him a hat, did you?—A. I did not.

Q. Has Olmstead Lewis ever made an affidavit in which he stated that you did not give him a hat for his vote for A. G. Curtin, or something to that effect?

(Objected to, because it is not cross-examination.)

A. He did make an affidavit of that kind before John D. Thompson, justice of the peace.

Q. Did you hear a conversation between W. C. Arnold and Arnold Bloom, wherein W. C. Arnold said that Arnold Bloom's testimony taken by the notary in the Curtin vs. Yocum contest was correct, except as to one thing that was not material, namely as to the dispatch?—A. W. C. Arnold, on the evening of the day or the preceding evening, in which Arnold Bloom gave his testimony in the Curtin and Yocum contest, stated in the presence of Arnold Bloom, Ignitius Thompson, and I think Stephen Graff and myself, that Arnold Bloom's testimony was correct, with the exception of one statement, which he said, if he would call his attention to, he would remember was incorrect; he did not state what that was, but I inferred that it was not a very material objection; he also at the same time stated that the affidavits of Lewis J. Bloom and Cortes Bloom were incorrect.

Q. Whom did Olmstead Lewis tell you had gotten him to make an affidavit in which he said he had received the hap referred to from you?

—A. I do not remember; he told me it was made in the office of Wm. C. Arnold.

Q. He told you it was untrue, did he, and that his affidavit made in W. C. Arnold's office was false?—A. He did.

Q. Did you ever hear any one say that any person had paid W. D. Irwin \$150, or any amount of money, to further the interest of Seth H. Yocum, or the Republican party of Clearfield County.

(Objected to, because it is not cross-examination and hearsay.)

A. W. D. Irwin told me himself that he had gotten a sum of money—I don't remember how much—for the necessary expenditure during the election.

Q. From whom did he say he received it?—A. I think that he told me that he got in the bank.

Q. Do you mean Curwinsville Bank?—A. Yes, sir.

Q. Did you hear anything of Wm. C. Arnold receiving money to further the interests of Yocum or the Republican party in this county, and if so, from whom did you hear he received it?—A. I have heard that he received it from various parties.

Re examined:

Q. Did or did not W. C. Arnold say that Arnold Bloom's testimony was correct in general, and that he, W. C. Arnold, would like to have been present to cross-examine him?—A. He did.

And further saith not.

THOS. J. FROW.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

OLMSTEAD LEWIS sworn:

Question. Do you or do you not reside in Pike Township, Clearfield County, Pennsylvania, and did you not reside there on November 5, 1878?—Answer. Yes, sir.

Q. Did you vote in Pike Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at the said election for Congress?—A. I voted for Andrew G. Curtin.

Q. Have you paid State or County tax within two years preceding said election?—A. No, sir, I don't think I have.

Q. How old are you?—A. I am thirty years old, as near as I can tell.

Q. Did or did not Thomas J. Frow, shortly before said election, say to you that he would give you a bed-quilt or hap if you would vote the Democratic ticket on November 5, 1878?

(Objected to because the question is leading.)

A. Yes, sir.

Q. Did or did not Arnold Bloom, shortly before said election, say to you that if you would vote the Democratic ticket he would give you \$2 in money?—A. Yes, sir; he said so.

Q. Did or did not Arnold Bloom, a few days after the election, say to you that he had not the \$2 with him, but would pay you some time again?—A. Yes, sir; he said so.

Q. When you signed or made your mark to a paper which Thomas J. Frow wrote, did or did you not know what was written in the paper, and was it read to you by John D. Thompson, justice of the peace, or any one else?

(Objected to by counsel for the contestant for the reason that the counsel assumes by the question that the witness has testified that T. J. Frow wrote a paper or affidavit which he, the witness, signed, whilst he has not so testified, and because the contestant has made T. J. Frow a witness, and therefore cannot contradict him under the laws and rules controlling evidence in contested-election cases as well as in civil and criminal proceedings.)

A. He read it to me; that is, J. D. Thompson. I did not know what was in it until he read it to me.

Q. Did Thomas J. Frow write the paper or affidavit which you signed, and where were you and Frow when it was written?—A. We were upstairs in his room over the bank in Curwinsville. Frow wrote the paper.

Q. Can you read writing?—A. No, sir.

Q. Was any one present when Frow wrote the paper or affidavit except Frow and yourself?—A. No, sir.

Q. How did you come to go up into Frow's room?—A. I was in his store, and he asked me to take a bucket of coal up into his room, and he had paper, ink, and pen with him. He sets down to the table and commences writing.

Q. Did or did not Thomas J. Frow swear at you because he said you had made an affidavit about the hap; that is, about his giving you a hap?—A. Yes, sir; he did.

Q. Did or did not Thomas J. Frow at that time call you "a God dam fool"?

(Objected to as leading and immaterial and irrelevant to the matter of the contest for a seat in the Forty-sixth Congress of the United States as Representative for the twentieth Congressional district of Pennsylvania.)

A. Yes, sir; he did.

Q. Did or did he not so frighten and scare you that you did not know what was in the paper when you signed or made your mark to it?—

A. Yes, sir; he did.

Q. Do you or do you not know what was in the paper that Frow wrote?—A. No, sir; I did not.

Q. When you made the affidavit in the office of W. C. Arnold, was

or was it not made by your own offer, and was it not slowly and carefully read to you by Wm. Bard, justice of the peace, who swore you to the paper?—A. Yes, sir; it was.

Q. Did W. C. Arnold ever ask you to come to his office and make an affidavit?—A. No, sir; he never did.

Q. Would you or would you not have signed the paper which Frow wrote if he had not frightened and scared you into it?—A. No, sir; I never would.

Q. Were you afraid of Frow after he had sworn at you and cursed you?—A. I was at that time.

Q. Did or did not Frow write this paper without asking you questions or saying what he was writing in it, and then ask you to go into Thompson's and swear to it?—A. He never asked me any questions when he was writing it. He asked me to go into Thompson's and swear to it.

Q. How had you always voted before the election of November 5, 1878?—A. I have always voted the Republican ticket until last fall.

Now, 6.30 p. m., adjourned to 7.15 p. m. of this day.

Now, 7.25 p. m. February 25, 1878, examination resumed.

Q. When did you last pay a State or county tax?—A. In October, 1876, in Pittston.

Cross-examined:

Q. Is this the last tax you have paid?—A. Yes, sir.

Q. Has any person paid a State or county tax for you since that time?—A. No, sir.

Q. Did not some one pay your tax to Lewis J. Bloom for you in 1878?—A. No, sir; not that I know of.

Q. When do you say you paid your last State and county tax?—A. I paid my State and county tax in October, 1876.

Q. Where?—A. In Pittston, Luzerne County.

Q. To whom?—A. I paid it to the officer; I forget his name.

Q. How long have you been a Democrat?—A. I never was a Democrat.

Q. Did you not tell Captain Frow before the election last fall that you had always been a Republican but that you had voted your last Republican ticket?—A. No, sir; I did not.

Q. Did you tell any one so?—A. No, sir; I did not.

Q. Did you not tell Captain Frow that you were going to vote the Democratic ticket last fall?—A. I did; yes, sir.

Q. Did you not tell him that you would not vote the Republican ticket again?—A. No, sir; I did not.

Q. Did you read your ticket which you voted at the election of November 5, 1878?—A. No, sir.

Q. How do you know you voted for Curtin?—A. Because I received my ticket from a Democrat.

Q. How do you know it had the name Curtin on it?—A. Of course I could not swear to it.

Q. Are you a colored man?

(Objected to because not cross-examination and immaterial.)

A. Yes, sir.

Q. You voted for the man, did you not, for whom you wanted to vote for Congress?—A. Yes, sir.

Q. You say, do you, that you received the hat or quilt you spoke of in your direct examination from T. J. Frow?—A. Yes, sir; I did.

Q. Who asked you to go to the office of W. C. Arnold and make the affidavit you have spoken of in your direct examination?—A. Nobody.

Q. How did you come to go there to make it?—A. I didn't come there to make it; I had some business with him, transacted with him a year ago; I came in the office where he was, and, as far as I know—I want to tell the truth—and I think he asked me about this hap business, and he asked me where I got this hap, and I went on and I told him how I got this hap, and I told him that that hap went towards my voting the Democratic ticket, and of course that was my business in there towards that affidavit.

Q. How did he know you got that hap?—A. Because it was talked all over the town about it, and of course he couldn't help hearing of it.

Q. Did you ever tell any one before this that you had gotten this hap?—A. Yes, sir; of course.

Q. To whom did you tell it?—A. I don't just remember who I told.

Q. Can you not name some one whom you told about it?—A. Why, no, sir; I cannot just remember of the names of the persons I told of it.

Q. Can't you remember some of them?—A. No, sir.

Q. Can you remember one of them?—A. No, sir.

Q. Are you sure that you got a hap or quilt, and can you remember that you got it?—A. I did not get a quilt, but I got a hap.

Q. Did you get this hap in the morning or in the afternoon?—A. It was in the evening.

Q. Was it the day before the election you got it?

(Objected to by counsel for contestee, because it confines the witness to one date, and because the witness has already testified that he got the hap several days after the election.)

Counsel for contestant objects to the objection or statement just made by counsel for contestee for the reason that it is simply a suggestion made under the pretext of an objection, and is therefore unfair and improper.)

A. No, sir.

Q. When was it?

(Objected to by counsel for contestee because witness has already stated that he received the hap several days after the election.)

Counsel for contestant objects to the objection just made by counsel for contestee for the reason that it is nothing more than a suggestion, and it is attempted evidently to put an answer in the witness's mouth; and further, it is objected to because the statement made in the objection by counsel for contestee is incorrect, and the witness has not yet testified as to when he received the hap, and therefore the objection is a mere pretext.)

A. I received it several days after the election.

Q. Was it three days or four days, or five days, or more or less, after the election that you received it?—A. It was three days after the election that I received the hap.

Q. You are positive, are you, that it was three days?—A. No, sir; I am not positive.

Q. Was it least three days ago?—A. As near as I can get at it it was about three days.

Q. Can you not swear positively that it was three days after the election that you got this hap?—A. No, sir.

Q. Why was it that you could not answer this question when it was first put to you?—A. Because I had to study, and I wanted to tell the truth.

Q. Did not what was said by Mr. Arnold in his conversation and in the objection help you to refresh your memory and fix the time when you received this hap?—A. In what way, sir?

Q. In his objection he said that you had already testified that you received this hap several days after the election. Now, was it not this, that is, what he said, that led you to remember that you received the hat three days after the election and not the day before the election?—

A. No, sir.

Q. Are you certain of this?—A. Yes, sir.

Q. What did Mr. Arnold say to you the night you made the affidavit in his office?—A. I don't remember.

Q. Was it at night that you were in his office?—A. It was in day that I was in his office.

Q. Did you make the affidavit there?—A. Yes, sir.

Q. Before what officer did you make it?—A. Squire Bard.

Q. Was Bard there when you went there?—A. He was not there when I went there.

Q. Was it John P. Bard?—A. Justice of the peace, whoever he is.

Q. Who sent for him?—A. I do not know.

Q. Do you know whether or not Mr. Arnold sent for him?—A. I do not know.

Q. Did Mr. Arnold write your affidavit and then read it to you?—A. Yes, sir.

Q. What did Mr. Arnold say to you after you had made the affidavit?—A. Nothing, sir.

Q. Then you went to Mr. Arnold's office, did you, and told him that you had received a hap for voting the Democratic ticket and wanted to make an affidavit as to whom you had received it from, and also for what you received it, and then left the office without having any further conversation with him?—A. Yes, sir.

Q. Your memory is perfectly clear on this, is it?—A. Yes, sir.

Q. Are you certain that T. J. Frow said he would give you this hap if you would vote the Democratic ticket on November 5, 1878?—A. Yes, sir.

Q. You cannot be mistaken as to this, can you?—A. No, sir.

Q. Is this the only affidavit you made in reference to this hap and this transaction?—A. No, sir.

Q. Did you not also make an affidavit in which you stated in substance that T. J. Frow did not promise the hap in question for your vote for the Democratic candidates?

(Objected to because witness has already testified that he did not know what was in the affidavit that Frow got him to make.)

A. Why he promised me the hap? No, sir; I did not make such affidavit.

Q. What did you say in that affidavit to Frow?—A. I do not remember, because he did not read the affidavit and did not question me on it.

Q. Did not Squire Thompson read the affidavit to you when he swore you to it?—A. He did, sir.

Q. Who was in Squire Thompson's office when you were sworn; and if you were not sworn there, who was present when you was sworn?—A. Was not sworn in Thompson's office. Frow and Thompson were present when I was sworn, I am certain.

Q. Where was this affidavit that you swore to before Thompson, written?—A. Up in Frow's room; where he roomed.

Q. What did Frow say to you?—A. He said nothing to me when he was writing the affidavit.

Q. What did he say to you before he wrote it?—A. He went on to cursing and swearing; and from that he told me to take a scuttle of coal up to his room; with his pen and ink and paper, up to his room, where he went to writing this affidavit, and questioned me not.

Q. What did you do?—A. I was standing in his room by the stove, while he was writing this affidavit.

Q. He did not leave the room, did he, until you both left?—A. I came down from his room and he came after me in a little bit.

Q. He did not leave the room, did he, until you had left it?—A. No, sir.

Q. You and Mr. Frow, then, were in the room alone, were you, until you left?—A. Yes, sir.

Q. Was not the affidavit you made in reference to Mr. Frow, and sworn to before J. D. Thompson, justice of the peace, true?—A. I didn't make any affidavit; he made it himself.

Q. J. D. Thompson read it to you, did he not, and swore you to it, and you made your mark to the signature that was written on it?—A. He did; but I didn't understand it at the time, less I would not have done it.

Q. Why didn't you tell him that you did not understand it?—A. Because I did not think of it.

Q. Have you ever seen that affidavit, or heard it read since you saw it made?—A. No, sir; I have not.

Q. When did you first come to think of what you had sworn to?—A. O, I could not tell just now.

Q. As near as you can tell?—A. So long a time ago I could not remember now any more.

Q. What made you think of this?—A. I don't know what made me think of it.

Q. Did Mr. Frow hand you the paper which he had written?—A. No, sir.

Q. Did you see Mr. Frow that evening or that day after you had made that affidavit?—A. I made no affidavit, and didn't see him next day either.

Q. Did you see Mr. Frow after you left his room—that is, after he had written this paper?—A. He told me to go down from his room into Thompson's store and told me to stay there till he come.

Q. You are not very easily frightened, are you?—A. It is owing to how I feel.

Q. Well, how did you feel when this affidavit was made?—A. I felt all over.

Q. When are you easily frightened, when you feel all over or in part?—A. It is owing to where I am laying according to how I feel.

Q. Well, how do you feel when you are standing by the stove?

(Objected to by counsel for contester, because a number of the preceding questions and this one are immaterial, irrelevant, extremely frivolous, and indicate that they are asked for the purpose of delay.)

A. Feel warm, like anybody else.

Q. When you feel warm like anybody else, are you easily frightened; and, if so, were you frightened that night or that day?—A. I was so frightened then.

Q. What frightened you then?—A. When a man curses at a body, and he did not know what for, and saying that I was a damned fool.

Q. That was all he said to you was it?—A. Yes, sir; and went on with his affidavit writing.

Q. Was the ticket you voted on November 5, 1878, read to you?—A. No, sir.

Q. Did you ever receive any money from Arnold Bloom?—A. No, sir.

Q. You say you cannot read, do you?—A. No, sir; I cannot read.

Q. You knew what you were doing, did you not, when you swore to this affidavit before J. D. Thompson?—A. I did not; I did not understand it.

Q. Did you pay a State or county tax after the general election of 1876, at which Tilden and Hayes were candidates for the Presidency?—A. No, sir.

And now—10.30 p. m., February 25, 1879—adjourned until 8 a. m. February 26, 1879.

And now—8.45 a. m., February 26, 1879—cross-examination of Olmstead Lewis resumed.

Q. What hotel did you stop at last night?—A. Shaw House.

Q. When did you make the affidavit (as near as you can tell) in which you charged T. J. Frow with having given you a bed hap for your vote?—A. I do not know.

Q. Was it before or after the election that you made the affidavit before Bard?—A. After the election.

Q. About how long after the election?—A. I do not know.

Q. Was it about December 28, 1878, that you made the affidavit before Bard?—A. I do not know.

Q. Do you think it was on Christmas?—A. I do not know.

Q. Was it on the election day, or the day after, or when was it?—A. I do not know.

Q. Now, can't you remember the month that you made this affidavit?—A. I do not know, sir.

Q. Can you remember about what month and in what year was it?—A. I do not know sir.

Q. Now, do you not remember that you was walking along the street past the office of Wm. Bard, esq., in Curwinsville, and was called in by Wm. C. Arnold, and whilst there made the affidavit against Frow?—A. No, sir.

Q. Were you not also frightened when you made that affidavit?—A. No, sir.

Q. Did not William C. Arnold ask you how you voted?—A. Yes, sir.

Q. What did you tell him?—A. A Democratic ticket.

Q. Did you not, some time before the election, go to the store of J. C. Wright & Co. and ask T. J. Frow to trust you to a hap, as your family was in need of bed-covering?—A. Yes, sir.

Q. How long before the election was this?—A. I don't remember any more.

Q. Was it more than a week?—A. I do not know.

Q. Do you think it was?—A. I do not know.

Q. What did you tell Mr. Frow when you got the hap from him?—A. I do not know.

Q. Did you tell him anything?—A. No, sir.

Q. Was there not a charge made against you after the last election by a number of persons in Curwinsville that you had stolen some boards or lumber?

(Objected to by counsel for contestee, because it is incompetent, immaterial, and irrelevant, and the witness has no right to be asked or answer such a question.)

Counsel for contestant think the question entirely proper, because it will be followed by other evidence which will show the immediate connection with the transactions referred to in the direct, as well as the cross-examination of witness.)

A. No, sir.

Q. Are you certain of this?—A. No, sir.

Q. Was not such a charge made against you, and did not William C. Arnold, chairman of the Republican county committee, boast, after the election, that he would have you in the penitentiary before six months?—A. No, sir.

Q. Did you not tell some persons that you had been charged by the leaders of the Republican party in Curwinsville with having stolen boards or lumber, and was not this charge made against you after the election of November 5, 1878?—A. No, sir.

Q. Did you not tell persons that W. C. Arnold said he would have you in the penitentiary before six months?—A. No, sir.

Q. Did you not hear that he had said so?

Q. Did you not hear that you were charged with stealing boards, or anything, after the general election of November 5, 1878?—A. Yes, sir.

Q. What were you charged with having stolen?—A. Boards.

Q. Who was prosecuting this charge against you; that is, what attorney?—A. Mr. Arnold.

Q. Do you mean William C. Arnold?—A. Yes, sir.

Q. Is this the other business you had at Mr. Arnold's office, and on which you went to see him the day you made this affidavit before Bard?—A. No, sir.

Q. What was this other business?—A. 'Twas business betwixt him and I about a year ago, as I told you before.

Q. Can you not remember what this business was?—A. No, sir.

Q. Now, did not Mr. W. C. Arnold say something to you about the charge against you for stealing boards the day you made your affidavit before Bard?—A. No, sir.

Q. Did any person else who was in the office of W. C. Arnold say anything to you about the charge made against you for stealing boards?—A. No, sir.

Q. Did any one speak to you before you went to the office of Mr. Arnold, in reference to your having stolen boards?—A. No, sir.

Q. Are you certain of this?—A. Yes, sir.

Q. Did you ever hear that Wm. C. Arnold had said that he would have you in the penitentiary before six months for stealing these boards?—A. No, sir; I did not. You will have that by heart after while if you keep on.

Q. How does it come that you were never prosecuted for stealing the boards that you say you were charged with stealing?—A. Because I agreed to settle it.

Q. Have you ever settled it?—A. No, sir.

Q. With whom did you promise to settle it?—A. I promised to pay the prosecutor for the boards.

Q. Have you ever paid him?—A. No, sir; I have not paid him.

Q. Did you not say that you were not promised or given a hap by F. J. Frow for voting a Democratic ticket at the election of November 5th, 1878?—A. No, sir.

Q. Are you certain that you did not say so, and also swear that he had not done so?—A. Yes, sir.

Q. Did you not swear before John D. Thompson, justice of the peace in Curwinsville, after the election of November 5, 1878, and after you

made the affidavit before William Bard, that T. J. Frow had neither promised or given you a hap or other valuable things for voting the Democratic ticket?—A. No, sir.

Re-examined :

Q. If you swore before Thompson that Frow did not give you a hap for voting, did you know what was in the paper you swore to?—A. No, sir.

Q. Are you a poor man, and was your family in great need of this hap?—A. Yes, sir.

Q. Where were these boards when you got them, which you were charged with stealing?—A. He hauled them out of the river.

Q. Were they not drift boards and lying on the bank of the river?—A. They were drift boards.

Q. When you took them had they not been lying along the river for some time, and did you not think they were drift, without an owner?—A. Yes, sir.

Q. After you were arrested who went your bail?

(Objected to as immaterial and irrelevant.)

A. Thomas J. Frow.

Q. When you told T. J. Frow last fall that you would vote the Democratic ticket, was it or was it not because he had offered to give you a hap for so voting, and because Arnold Bloom had agreed to give you two dollars?

(Objected to because it is immaterial, irrelevant, and leading.)

A. Yes, sir.

Q. Who gave you the ticket which you voted November 5, 1878?—A. Arnold Bloom.

Q. Did he not say it was a Democratic ticket and a Curtin ticket?

(Objected to by counsel for contestant, because the question is leading, and a suggested answer under the pretext of an objection.)

A. Yes, sir.

Q. Did or did not W. C. Arnold ever say to you or promise to you that you would not be prosecuted for taking the boards if you would make the affidavit about Frow giving you the hop?—No, sir; he did not say any such a word.

Q. Have you ever talked to him about the boards?—A. No; he never talked to me nor I to him about the boards.

Recross-examined :

Q. When you went to Frow last fall and told him that you would vote the Democratic ticket, did you not tell him so because he had gone your bail on the charge of stealing boards?—A. No, sir.

Q. Who made the information against you for stealing boards?—A. Christ Frankhouser.

Q. For whom did he work then?—A. I do not know where he was working.

Q. Did Arnold Bloom say anything to you when he gave you your ticket?—A. He did.

Q. Are you certain he said it had Curtin's name on it?—A. Yes, sir.

Q. Did he read it to you?—A. No, sir.

Q. Have you talked to Edward Livingston or any person else about your testimony in this case since you were subpoenaed?—A. No, sir.

Q. Are you certain you did not?—A. I am certain I did not.

Q. Did you talk to any person last night or this morning in reference to your testimony?—A. No, sir; I did not.

Q. Did you have any conversation with any person now in this room?—A. No, sir; I had not.

And further saith not.

OLMSTEAD ^{his} + LEWIS.
mark

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN APPLETON, sworn.

Question. Where do you reside?—Answer. I live in Pike Township.

Q. Did you reside in Pike Township on November 5, 1878, and did you vote at the election held that day in Pike Township?—A. Yes, sir.

Q. Do you know Arnold Bloom?—A. Yes, sir.

Q. Did or did not Arnold Bloom say to you on said election day, in substance as follows: "Appleton, if you will vote the Democratic ticket we will give you \$3 worth of goods out of J. C. Wright & Co.'s store and \$1 in money"?

(Objected to by counsel for contestant because the question is leading and is so framed as to suggest an answer to the witness, and is therefore an improper question.)

A. Yes, sir.

Q. Did or did not Arnold Bloom then turn and say to Thomas J. Frow, "We will do it, won't we, Frow," and to which Frow replied "Yes, we will do it"?—A. Yes, sir.

Cross-examination:

Q. Who was present at this conversation?—A. Not any one.

Q. Where did it occur?—A. At the school-house at Curwinsville.

Q. Was there no one near?—A. No, sir.

Q. What time of day was it?—A. It was in the forenoon.

Q. Is this school-house the voting place?—A. Yes, sir.

Q. How near the window was this?—A. It was down on the pavement.

Q. How near the window?—A. I can't say how far.

Q. Can't you approximate in feet?—A. Must have been fifty feet, as near as I can tell.

Q. Was this conversation in an ordinary tone of voice or was it in a whisper?—A. In a quiet voice.

Q. What do you mean by that?—A. Not talking loud or in a whisper.

Q. Well, what did you do?—A. I walked off to the fence to Mr. Hancock.

Q. How far was he from Bloom and Frow?—A. Ten or fifteen feet from Bloom. Frow was not there then.

Q. Did you walk away as soon as this conversation occurred?—A. From Bloom up to Hancock.

Q. Where was Frow?—A. He was in his store.

Q. How is the store from the school-house?—A. Near a quarter of a mile. I have no idea.

Q. Can you give an idea in rods—how many?—A. I expect near ten rods. I never stepped it.

Q. What street was the school-house on where Pike Township votes, or is that the school-house to which you refer?—A. I don't know the name of the street; it is the school-house where they vote.

Q. Where did you say this conversation occurred between you and

Bloom and Frow ?—A. On the pavement by the school-house. Frow was not there.

Q. Did you not swear that when Arnold Bloom said to you, "Appleton, if you will vote the Democratic ticket we will give you three dollars' worth of goods out of J. C. Wright & Co.'s store and one dollar in money, that Bloom turned to Frow and said "We will do it, won't we, Frow ?"—A. Yes, sir.

Q. Did you not just swear that this conversation occurred on the pavement near the school-house ?—A. Yes, sir.

Q. Did you not swear just now that when Bloom said this, you went over to where Hancock was standing ?—A. Yes, sir.

Q. Did you not say, in answer to my question, that when you went to Hancock, Frow was in the store ?—A. Yes, sir.

Q. What time of day did you vote that day ?—A. Between ten and eleven o'clock.

Q. How long after this conversation occurred ?—A. Why, about half an hour.

Q. Where did you go from Hancock, before you voted ?—A. I went down to Dale's store.

Q. How far is that from the school-house ?—A. Nine or ten rods.

Q. Where is the school-house in reference to the bank ?—A. I expect it's not much further than Frow's store ; bank joins Frow's store.

Q. Where did you first see Frow that day ?—A. I was up to Frow's store in the morning.

Q. How long before this talk that you speak of ?—A. I expect it was an hour.

Q. How soon after that did you see Frow again ?—A. I expect about half an hour.

Q. Where was he ?—A. In the store.

Q. How long after that was it until you saw him again ?—A. Half an hour from the first time till I saw him the last time.

Q. Where was he then ?—A. The last time, in the store.

Q. Where did you see Frow that day, except in the store ?—A. No place but in the store.

Q. Who did you first tell this conversation to ?—A. Kinnesson Hancock.

Q. When ?—A. That day—election-day.

Q. Did you tell him as soon as you went to him, at the fence, or near the school house, where you said you left Bloom and went to him ?—A. Yes, sir.

Q. Who else did you tell ?—A. No one, as I recollect of.

Q. Have you told it to anybody but Hancock ?—A. Not as I recollect of.

And now, 12.10 p. m., adjourned to 1 o'clock p. m., February 26, 1879.

And now, 1.20 p. m., cross examination continued.

Q. What is Kin. Hancock's politics ?—A. Republican.

Q. Can you now recollect whether you told anybody else but him what Bloom and Frow said to you ?—A. No, sir.

Q. Who served the subpoena on you to appear in this case ?—A. I can't mind his name.

Q. Where does he live ?—A. I think in Curwinsville.

Q. What does he do ?—A. I can't tell you what he follows.

Q. Don't you know him ?—A. Yes, sir.

Q. What is his name ?—A. Vorice Clark. I studied a good bit before I could think of his name.

Q. How long have you known Clark?—A. I have known him, I expect, for twenty years.

Q. You could not think of his name when I asked you the first time?—A. No, sir; I couldn't till I studied about it.

Q. When was this subpoena served on you?—A. Last Thursday evening.

Q. What did he say when he served it on you?—A. Well, he said for me to appear down here Tuesday or Wednesday. That is all that I can recollect of.

Q. Do you know Edward Livingston?—A. No, sir.

Q. Did you never talk to him about this?—A. Not as I recollect of, at all.

Q. How near do you live to Curwinsville?—A. I suppose the nighest way is a mile and a quarter.

Q. Don't you go there at least once every week?—A. I scarcely ever go there once a month.

Q. How many times have you been in Curwinsville since the election of November, 1878?—A. No more than once or twice.

Q. Where were you when you were there?—A. The last time I was there I was in Mr. Arnold's store; about four weeks ago.

Q. Samuel Arnold's store?—A. Yes, sir.

Q. How do you fix the time?—A. I was out at my sister's, and came in and stopped there.

Q. Anything else by which you fix the time?—A. Number of weeks since I was there is all I know.

Q. Who all did you see there and talk to?—A. I don't mind all who were there. My sister's son was there.

Q. Can't you remember anybody else?—A. No, sir.

Q. Is that the only time you can remember of being in Curwinsville since the election?—A. I think I was there once before.

Q. Where was you then?—A. Down at the Corner Store, as far as I can recollect.

Q. What did Kin. Hancock say, when you told him about this conversation with Frow and Bloom?—A. Why he said to vote the same ticket I always had voted.

Q. What else did he say?—A. He said he wouldn't be bothered voting the other ticket.

Q. What else did he say?—A. I don't mind if he said much of anything else about it.

Q. What did he say about money?—A. Didn't say anything about money at all.

Q. What did he say about your getting something for your vote?—A. He says it's all right enough. And I said I wasn't big fool enough to get anything for my vote.

Q. Do you swear that that is all Hancock said to you about your vote?—A. Yes, sir.

Q. Did anybody speak to you about your testimony before you were sworn this morning?—A. No, sir.

Q. Will you just repeat, please, what Bloom and Frow said to you?—A. Bloom said he would give me a dollar in money and three dollars in things out of the store; that was all that was said in Frow's store. I had no conversation with Frow at all. Nothing more.

Q. Is that what you told Kin. Hancock?—A. Yes, sir.

Q. Was Frow standing by when Bloom said this, or what was he doing?—A. No, sir; Frow was not.

Q. Where was Frow?—A. Frow was back and Bloom called him up

and says he, "Will you do that," and he says, "Yes, sir," and walked away.

Q. Where did Frow come from when you called him?—A. From back along the counter; we was up at the door.

Q. Do you swear, Frow heard, what Bloom said to you?—A. No, sir.

Q. When Frow said yes, sir, in answer to Bloom, do you swear that it had anything to do with what you and Bloom had been talking about?—A. No, sir, I can't swear to that.

Q. This conversation was in the store?—A. No, sir.

Q. Where was it?—A. The conversation between Bloom and me was down at the school-house.

Q. Was that where Bloom asked Frow if he would do that and Frow answered yes?—A. No, sir; he asked him that up in the store.

Q. Did you not swear twice this forenoon that this conversation between you and Frow and Bloom occurred on the pavement at the school-house?—A. No, sir.

Q. Did you not but a few minutes ago, when I asked you to repeat what Bloom and Frow said to you, use this language: "Bloom said he would give me \$1 in money and \$3 out of the store." That was all that was said and that you had no conversation with Frow at all?—A. Yes, sir.

Q. How long was it after the conversation with Bloom until you told Hancock?—A. Between five and ten minutes.

Q. How many different times did Bloom say this to you?—A. Two or three times.

Q. Did not or did Bloom use the same language to you in all his conversation on this subject?—A. Yes, sir.

Q. Then if you swore this morning that Bloom then turned and said to Frow, "We will do it; won't we, Frow?" and Frow replied, "Yes, we will do it," you swore to more than Frow said at any time.—A. No, sir.

Q. At how many different places did Bloom turn to Frow and say "We will do it; won't we, Frow?"—A. Only the once in the store.

Q. Did I not ask you this morning where this conversation occurred, and did you not answer, "At the school-house in Curwinsville"?—A. Yes, sir, at the school-house, between Bloom and me.

Q. Did you not swear just a moment ago that what Frow said when Bloom called him was "Yes, sir;" and walked away?—A. Yes, sir.

Q. Do you know how W. C. Arnold, who examined you this morning, got the exact words that you swear were used in that conversation, and no others?—A. No, sir; I don't.

Q. Were you at Mr. Murray's office since you came to town?—A. No, sir; Murray is a man I ain't acquainted with.

Q. Did any body speak to you and ask you what you knew since you came here and before you were sworn?—A. No, sir.

Q. Have you talked to Arnold, Bloom, or T. J. Frow since the election?—A. No sir.

Q. Did you see Frow after the conversation as you say took place between you and Bloom in the store that day?—A. I did not see Frow after that; that day I went home.

Q. What time of day did you start home?—A. Between eleven and twelve o'clock.

Q. How long was it after you was in the store?—A. About half an hour.

Q. How long after the conversation?—A. About half an hour after the last conversation.

Q. How many conversations did you have with Frow on this subject ?

—A. Not any.

Q. Then do you know what Frow referred to when he said "Yes, sir," in answer to Bloom's question ?—A. No, sir.

Q. Did you mean or wish any body to understand that T. J. Frow attempted to buy or influence your vote.—A. No, sir.

Q. Did he attempt to buy or influence your vote ?—A. No, sir.

Q. Did Arnold Bloom speak to you as you stated more than once.—A. Yes, sir.

Q. Did he use exactly the same language, and make the same offer both times, or every time ?—A. Yes, sir.

Q. Did he name the store out of which you were to have the goods ?—A. Yes, sir.

Q. When was that ?—A. The day of the election.

Q. Where ?—A. On the pavement there by the school-house.

Q. Why did you not then give the name of the place you were to get these goods in answer to my repeated questions as to what Bloom said to you ?—A. Question was not asked me where I was to get the goods (before dinner).

Q. Will you now just repeat what Bloom said to you on the pavement near the school-house ?—A. He said "I will give you \$1 in money and \$3 out of the store."

Q. Now, is that Bloom's language, just as he spoke to you ?—A. Yes, sir.

Q. Did he buy or influence your vote ?—A. No, sir.

Q. Did anybody else do so ?—A. No, sir.

Q. Did you, before or since the election of November, 1878, receive any money or other thing of value from anybody for your vote ?—A. No, sir.

Q. Who did you vote for ?—A. Yocum.

Q. Who else ?—A. I did not read the ticket, for I am no scholar.

Q. When did you last pay a State and county tax ?—A. I gave to Mr. Hancock last summer to pay them for me. I was working for him.

Q. Have you paid a State and county tax within two years before the 5th of November, 1878, other than this Hancock arrangement ?—A. Yes, sir.

Q. Who did you pay it to ?—A. Lewis Bloom.

Q. When ?—A. Last summer, and last summer a year.

Q. Do you say you paid them direct to Bloom in the summer of 1877 ?

—A. I told Mr. Hancock before Mr. Bloom to pay it.

Q. Have you got Mr. Bloom's receipt ?—A. No, sir.

Q. Have you any receipts from Bloom for payment of taxes within two years ?—A. No, sir.

Q. Has Hancock gotten or shown you Bloom's receipt for your taxes ?—A. No, sir.

Re-examined :

Q. Do you mean, when you said you paid your taxes for 1877 and 1878, that you gave Hancock the money, which he paid to Bloom, the collector, for you ?—A. No, sir; I didn't give him the money; I was working for him.

Q. Did Hancock take money that he owed you and pay said taxes for you at your request ?—A. Yes, sir.

Q. Did you see Hancock pay Bloom, the collector, your State and county taxes in the summer of 1877 ?—A. No, sir.

Q. Did Hancock pay said taxes in the summer of 1877, and did you not vote at the election of November, 1877, on those taxes ?—A. No, sir; not for two years before the last election.

Q. Did Hancock pay your taxes, State and county, to Bloom, the collector, in the summer of 1877?—A. Yes, sir.

Q. Was your vote challenged on November 5, 1878?—A. No, sir.

Q. When you voted, did you not see Lewis I. Bloom, the collector, at the polls?—A. No, sir.

Q. Was Arnold Bloom there?—A. No, sir.

Q. Is not T. J. Frow engaged in the store of J. C. Wright & Co.?—A. He has a store of his own.

Q. Where is this store you call Frow's store?—A. I believe it is between Thompson's and the bank, Curwinsville, Pa.

Q. Did not Arnold Bloom meet you on election day and ask you to go along with him to Frow's store?—A. Yes, sir.

Q. Were you and Arnold Bloom together, and also T. J. Frow, in Frow's store, on the morning of the election?—A. Yes, sir.

Q. Then your conversation was with Arnold Bloom, was it not?—A. Yes, sir.

Q. How near was Frow to you and Bloom when Bloom offered you the goods and money to vote the Democratic ticket?—A. I suppose he was within two or three feet of us. When Bloom offered me the goods in the first place, Frow was not near us.

Q. Do I understand you to say that at one time in the store that Frow was within two or three feet of you and Bloom when Bloom made you the offer?—A. Yes, sir; he asked Frow if he would do that, and he said yes.

Q. Was Frow at work when you and Bloom were talking, or was he simply standing not far from you and Bloom?—A. He was standing at the stove and we was at the door, and he called him.

Q. When Frow came up to you and Bloom and said "Yes; we will do it," did you not understand that he agreed to do what Bloom had offered you.—A. Yes, sir; he said he would give me the goods out of the store.

Q. Were you in Frow's store twice on election day?—A. No, sir.

Q. Then I understand you, do I not, that you had the conversation with Bloom alone at the school-house, and another conversation with Bloom in Frow's store while Frow was standing at the stove?—A. Yes, sir.

Q. Was the offer of goods and money made if you would vote the Democratic ticket?—A. Yes, sir.

Q. You stated in cross-examination that you started home about one half hour after you left Frow's store; now do you not mean that you started home about one-half hour after you voted?—A. After I left Frow's store in about half an hour I started home.

Q. Then Arnold Bloom made you the offer at the polls first, and then afterwards you and he went to Frow's store, when the offer was repeated?—A. When I first went into the town he made me the offer; then we had the conversation at the school-house; then I went down into town, and he came down; went to Frow's store; then he asked Frow, and Frow says "yes."

Q. Did you understand that the three dollars worth of store goods were to come from Frow's store?—A. Yes, sir.

Recross-examined:

Q. Did you not swear since dinner as follows, in answer to this question: "Do you swear that Frow heard what Bloom said to you?—Answer. No, sir." And was that not your testimony?—A. Yes, sir.

Q. How do you come to swear, then, in answer to Mr. Arnold's

question about this matter (that you understood Frow agreed to do what Bloom had offered you), when you said in answer to my question that you did not know whether Frow heard you and Bloom talk?—A. Bloom told me before they went up they would give me \$1 in money and \$3 worth out of the store, and he called Frow, and he asked Frow if he would do that, and Frow says "yes."

Q. Now where was this?—A. At the school-house.

Q. How many conversations did you and Bloom have at the school-house?—A. One.

Q. You swore Hancock paid your taxes; how do you know he paid them?—A. Why, he said he paid them.

Q. Do you know anything else about it except what Hancock said?—A. No, sir; I know Lewis I. Bloom; he said that I was all right; that I could vote.

Q. When was this?—A. A while before the election.

Q. How long before the election?—A. I expect it was a month.

Q. Where was it?—A. At my place.

(Before the testimony is signed contestant, by counsel, objects to the whole of the foregoing testimony of this witness, for the reason that no notice was served that he would be called, and that this fact was observed until after cross-examination had been begun since the adjournment for noon; that contestant will move before the committee to strike out the whole of the testimony for that reason and a further reason that there are no specifications or allegations in contestee's answer upon which this testimony is in any way material or relevant, and that this fact could only be known after the testimony of the witness was closed.)

And further saith not.

his
JOHN + APPLETON.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

4.45 p. m., February 26, 1879, adjourned to 7 p. m. the same day.

7 p. m.—Having appeared at the rooms from which we adjourned, and no witness or counsel appearing, and having waited till 7.50 p. m., adjourned till 8 o'clock a. m. February 27, 1879.

And now, 11.20 a. m., February 27, 1879, examination resumed.

ELIAS DONEY affirmed:

Question. Where do you reside?—Answer. In Union Township, Clearfield County, Pennsylvania.

Q. Where did you vote at the general election held November 5, 1878?—A. At Rockton, Union Township, Clearfield County, Pennsylvania.

Q. Did you vote at the election polls of Union Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Have you paid a State or county tax within two years preceding said election?—A. Yes, sir.

Q. To whom?—A. To J. B. Clauser, the collector.

Q. When did you pay it?—A. I paid it in the fall sometime.

Q. Was it in the fall of 1876?—A. Yes, sir; I think it was.

Q. Did you pay that tax in due time to vote at the Presidential election of 1876?—A. I don't recollect that any more.

Q. Did you vote at the general election of 1876?—A. Yes, sir.

Q. When you voted in 1876, were you not asked by the election board whether you had paid your State and county tax for the year 1876, and at least one month before the general election of 1876?—A. No, sir.

Q. How long before the election of November, 1876, had you paid your State or county tax for 1876?—A. I don't remember any more.

Q. Was it about one, two, or three months before, or more or less?—A. I think it was about two months before, anyhow.

Q. Have you paid any State or county tax since about two months before the election of 1876?—A. I think I did.

Q. Will you produce any receipt or receipts for such payment of taxes?—A. Yes; that is the only receipt I have [and witness produces receipt, the following of which is a copy:]

“ROCKTON, *Oct. the 28, 1878.*

“Received of Elias Doney one dollar and fifty-eight cents, being his State and county tax for the year 1877.

“\$1.58.

“JACOB HESS, *Col.,*

“Per J. H. BRUBAKER.

Q. Have you paid any other State or county tax since about two months preceding the general election of November, 1876, except the tax the receipt of which you have produced, which receipt is dated October 28, 1878?—A. Yes, sir; I have paid all the tax up till 1877.

Q. Did you pay any State or county tax for the year 1878?—A. No, sir; I have not paid it yet.

Q. Then, I understand you that you paid your State and county taxes for the year 1876 about two months before the election of November, 1876?—A. Yes, sir.

Q. Then, do I understand you that you paid your State and county taxes for the year 1877 on October 28, 1878?

(Counsel for contestant objects to question, for the reason that it assumes that the witness has sworn that he paid his State and county taxes for the year 1877 on the 28th day of October, 1878, the date of the receipt which has been copied in his testimony, whilst the witness has not so testified and has not sworn to the date at which he paid his taxes; and the question is, therefore, leading.)

A. Yes, sir.

And now, 12.15 p. m., adjourned till 1 p. m. of same day.

And now, 1.15 p. m., February 27, 1879, examination resumed.

ELIAS DONEY'S examination proceeded with:

Q. Have you paid any other State or county taxes since what you paid about two months before the general election of November, 1876, except what you paid on October 28, 1878?—A. No, sir.

Cross-examined:

Q. Have you not paid other taxes since the Presidential election of 1876?—A. Yes, sir.

Q. To whom did you pay them?—A. Jacob Brubaker.

Q. Was Jacob Brubaker the collector?—A. No, sir; Jacob Hess was the collector.

Q. Did you pay any other taxes than those you paid Brubaker?—A. Why, of course I did.

Q. To whom did you pay them?—A. I paid some to J. B. Olausen.

Q. When?—A. I think it was in the year 1876.

Q. Was it after the Presidential election of 1876?—A. Well, that I can't mind.

Q. Might it not have been after that election?—A. Well, it might or might not; I can't say.

Q. Was any other taxes paid by you than those you have mentioned, or by any other one for you?—A. In what time?

Q. I mean after the Presidential election of 1876?—A. No, sir; not more than what is mentioned.

Q. Now, did you not pay a tax in the fall of 1877 to J. B. Clauser?—A. No, sir.

Q. If J. B. Clauser was collector of State and county taxes and did not receive a duplicate until after the 1st of November, 1876, might you not have paid him the tax you speak of to him after the Presidential election of 1876?

(Objected to by counsel for contestee, because the question evinces a purpose to mislead the witness, inasmuch as the witness has already testified that he paid his State and county taxes to J. B. Clauser, the collector, about two months before the election of November, 1876.)

A. Why, if he received the duplicate after that time I paid him after that time.

Q. Did you have notice from Clauser that he had taxes against you before you paid it?—A. Yes, sir.

Q. How long before you paid it; was it one or two months, or more?—A. I cannot tell.

Q. Do you think it was as much as thirty days?—A. I cannot tell you that.

Q. Did you not pay a tax to Clauser during 1877 or 1878?—A. No; I paid that to Jacob Brubaker.

Q. Did you pay a tax to J. B. Clauser at any time during the year 1877?—A. Why, I don't remember any more.

Q. Might you have paid him such tax?—A. Why, I may have and I may not.

Q. Did you pay a tax to J. B. Clauser or any person else at any time during the year 1878?—A. Yes, sir.

Q. To whom?—A. To J. Brubaker. You've had that question asked three times already.

Q. In what month did you pay them to J. Brubaker?—A. October 28.

Q. Was this the only tax you paid during the year 1878?—A. State and county tax.

Q. Did you get your receipt the same day you paid your taxes to Brubaker?—A. Yes, sir.

Q. Might not the tax you paid to J. B. Clauser in 1876 have been your State and county taxes for 1875?—A. No, sir.

Q. Were your taxes for 1878 paid for you or by you?—A. No, sir; they are not paid yet.

Q. Was your vote challenged at the election of November 5, 1878?—A. Yes, sir.

Q. By whom?—A. By John A. Brubaker and Nathan Lyons.

Q. What were you required to do that you might get your vote in?—A. I was qualified that I paid tax within two years; that is, to the best of my knowledge.

Q. Then you believed and swore, did you, that you paid a State or county tax within two years preceding said election?—A. Yes; to the best of my knowledge.

Q. And you now swear, do you not, that to the best of your knowledge you did pay a State or county tax within two years immediately preceding the 5th of November, 1878?

(Objected to by counsel for contestee because the question is leading and indicates a purpose to mislead and contradict the witness, inasmuch as the witness has already testified that he paid J. B. Clauser his State and county taxes about two months before the election of November, 1876, and paid no such taxes since until he paid Brubaker on October 28, 1878.)

A. Yes.

Q. Who required you to make this affidavit before the election board?—A. Why, I don't mind any more who.

Q. Was it one of the election officers?—A. Yes; I think it was.

Q. After this affidavit was made, was your vote received?—A. Yes, sir.

Re-examined:

Q. How old are you?—A. I am thirty-nine years, lacking a few days of forty years; the 20th of next month I'll be forty.

Q. Do you now swear that you paid a State or county tax at least one month before and within two years preceding the election of November 5, 1878?—A. You have got that answer down there already twice.

Q. Did or did you not pay Clauser, the collector, your State and county taxes for the year 1876 about two months before the general election of November, 1876?—A. Well, I cannot recollect exact.

Q. About how long before the election of November, 1876, as near as you can tell?

(Objected to for the reason that the witness has not sworn positively that he did pay his State and county taxes to Clauser before the election of November, 1876. The question is therefore leading and unfair to the witness, and it is attempted in this, as well as in other questions which have been asked him by counsel for contestee, to mislead the witness.)

A. Well, I cannot recollect as to what time it was.

Q. When the question was asked you by me, "Was it about one, two, or three months before, or more or less," did you not answer in reply, "I think it was about two months before, anyhow?"

(Counsel for contestant objects to the above question for the reason that counsel for contestee by his question assumes that the witness swore that he paid his State and county taxes about two months before the election of November, 1876, whilst the witness did not swear that he had paid his taxes before the election of 1876; but in answer to the leading and suggestive question quoted by the counsel, by which it was assumed that he had paid his taxes before said election, he made the answer referred to by counsel in his question. The question is therefore unfair to the witness.)

A. I don't mind any more how I did answer then.

Q. Whom did you pay your State and county taxes to for the year 1876?—A. I paid it to James Clauser, or, rather, to his woman.

Q. Where was Mrs. Clauser when you paid her the tax?—A. Why, she was home in the house.

Q. What time of day was it when you paid it to her?—A. It was in the evening some time; I don't recollect the hour.

Q. Where had you been before you went to her house to pay the tax?—A. I don't know any more where I was.

Q. Did you get a receipt from her?—A. No, sir.

Q. How much did you pay her?—A. I paid her what the duplicate called for.

Q. How much did the duplicate call for?—A. I can't tell you any more.

Q. Was it in the spring, summer, or fall or winter of 1876?—A. It was in the fall some time.

Q. Was it in September?—A. I can't recollect any more.

Q. Was it in October, as near as you can tell?

(Objected to for the reason that witness has already sworn that he cannot recollect the time; that is, the month he paid said taxes.)

A. I can't mind any more just what month it was; I know it was some time in the fall.

Q. In what month in 1876 was the Presidential election held?—A. I think it was November the 5th.

Q. Did you vote at that election?—A. Yes, sir.

Q. Was Clauser, the collector, present at the election of November, 1876?—A. Yes, I think he was.

Q. Did or did not Clauser say at said election of 1876, when you voted, that you had paid your taxes for 1876 in time, and had a right to vote?

(Objected to for the reason that witness has already stated that he was not questioned as to payment of his taxes in 1876 at the general election.)

A. No, he did not.

Q. What were you working at in September, 1876?—A. I don't remember any more what I was working at.

Q. Where and for whom were you working at the time of the election of 1876?—A. I was working in Union Township; I can't remember for whom.

Q. Are you a farmer?—A. I am not particular a farmer; I work sometimes at it.

Q. Was there snow on the ground when you paid Mrs. Clauser the taxes?—A. I don't recollect any more.

Q. Did you pay her the taxes before the election of November, 1876?—A. I don't remember any more.

Q. What is your best recollection; was it before or after the election of November, 1876?—A. I cannot tell you whether it was after or before.

Q. Have you not already sworn that it was two months anyhow?—A. I don't know whether I did or not.

Q. When you paid the tax to Mrs. Clauser, who was present?—A. James Clauser's son was present.

Q. At that time were the roads muddy?—A. I don't remember whether they was or not.

Q. When you voted in November, 1878, who swore you as to your payment of taxes within two years?—A. Henry Whitehead.

Q. Then you swore when you voted that you had paid your taxes to Clauser within two years preceding the election of November 5, 1878?

(Objected to for the reason that the question assumes that the witness has testified that he swore before the election board on November 5, 1878, that he paid his State and county tax to J. B. Clauser within two years preceding said election, whilst witness has not so testified; and the question is therefore calculated to mislead him and is consequently an improper question.)

A. Yes; to the best of my knowledge.

Q. You swear now, that is to-day, that you don't recollect when in the fall of 1876 you paid the taxes to Clauser. Now, have you forgotten since you voted in November, 1878?—A. You're trying to catch me up on saying things, then turn around and get me to say something else.

Q. Why did you swear when you voted in November, 1878, as to paying the taxes to Clauser within two years preceding that time?—A. Because I thought I did pay them.

Q. Do you swear now that you paid Clauser taxes within those two years?—A. To the best of my knowledge; couldn't swear positive.

Q. You swore a short time ago that you could not tell whether it was before or after the election of 1876, and now you swear that it was after the election (in substance) of November, 1876. Will you explain?—A. Well, you got me kind of mixed up in there.

Q. When you offered to vote at election of November 5, 1878, did you not first offer to vote on the Brubaker tax receipt, which is dated October 28, 1878?—A. Well, they asked me whether I paid tax within two years. I told them I had and I had a receipt.

Q. What receipt did you show, and was it not the receipt of Brubaker, dated October 28, 1878?—A. Yes, sir.

Q. Did you vote the Democratic ticket?—A. Yes, sir.

Q. Did the board refuse to allow you to vote on the Brubaker receipt?—A. Yes, sir.

Q. Then, after they so refused, did you not swear that you had paid Clauser within two years?—A. I was qualified that I paid tax within two years.

Q. To whom?—A. They did not ask me who to.

Q. When you so swore, whom did you mean you had paid taxes to?—A. Well, to Clauser, he was collector at the time.

Q. Do you now swear that you paid Clauser the taxes within two years preceding the election of November 5, 1878?—A. Yes, I swear, but not just positive; to the best of my knowledge.

Q. Has or has not the counsel for contestant bothered and confused you since your examination in-chief?—A. Why, I think they both kind of both ered me.

Recross-examined:

Q. Did you refuse absolutely to pay any State and county tax of which you had notice?—A. No, sir.

Q. Was the State and county tax which you think was paid within two years paid more than one month before the election of November 5, 1878? I do not refer to the tax paid to Brubaker?—A. Yes, sir.

And further saith not.

ELIAS DONEY.

Attest:

W. N. PROTHERO,
Notary Public.

JOHN L. KELLY affirmed:

Question. Where do you reside?—Answer. Lumber City, Clearfield County, Pennsylvania.

Q. Where did you vote at the general election of November 5, 1878?—A. In Lumber City Boro'.

Q. For whom did you vote at said election for Congress?—A. I voted for Andrew G. Curtin.

Q. How old are you?—A. Thirty-two against the 16th of next August.

Q. Have you paid any State or county tax within two years preceding said election?—A. I have.

Q. To whom did you pay it?—A. John P. Hile.

Q. When did you pay it?—A. between the first and middle of April, 1878.

Q. Did you get a receipt?—A. I did not.

Q. Where did you pay it?—A. I paid it at John P. Hile's.

Q. Did you pay it in money?—A. I did not.

Q. How did you pay it?—A. I paid it in work.

Q. When did you do the work?—A. I done part of it in January, and the rest of it in April.

Q. When did you settle with John P. Hile for the work done?—A. In April.

Q. How much did he owe you then?—A. Forty-three cents.

Q. How much was your tax?—A. Five dollars and forty-three cents.

Q. Why did you not take a receipt?—A. Because it was late in the evening and he said he would give it to me some time again.

Q. Are you sure it was State and county tax?—A. I am; and school.

Q. How much was your school-tax?—A. I can't just remember now.

Q. About how much?—A. I said before that I did not know.

Q. If you cannot remember exactly, tell us as near as you can how much your school-tax was?—A. Between \$1 and \$1.50, I suppose.

Q. For what year was the State and county tax that you settled with Hile out of your work?—A. 1876 and 1877.

Q. How much was your State and county tax for each of those years?—A. I can't tell you the exact amount.

Q. Tell me as near as you can for each year?—A. Near two dollars a year.

Q. When did you settle with John P. Hile?—A. In April.

Q. Had John P. Hile his duplicates present when you settled with him in April?—A. No, sir.

Q. How then was the amount of your taxes ascertained?—A. We had counted them up before.

Q. Where did you settle?—A. In John P. Hile's house.

Q. Did Hile have his books there, and was your work credited on his books and your taxes charged at that time?—A. Hile did not have his books there.

Q. Have you ever gotten a receipt from Hile for your State and county taxes?—A. I have not.

Q. Are the taxes, that is, State and county, marked paid on Hile's duplicate?—A. I could not say; he said he would mark them paid.

Q. Have you since April, 1878, seen Hile in reference to having these taxes marked paid?—A. I have.

Q. When?—A. The day of election in November, 1878.

Q. Did he say on November 5, 1878, that he would mark them paid?—A. He did.

Q. Did or did not Hile say the same thing about A. A. Kelly's tax on that day; that is, November 5, 1878?

(Objected to because it was hearsay.)

A. I did not hear him.

Q. Did you hear that Hile did say so?

(Objected to by counsel for contestant because it is hearsay and John P. Hile is a competent witness and his testimony can be had.)

A. I did.

Q. Who told you that Hile did say so?

(Objected to by counsel for contestant because it is immaterial, hearsay, and irrelevant.)

A. My father for one, John J. Sterling; that is all, I believe.

(The above question and answer is further objected to for the reason that A. A. Kelly is now before Wm. Radebaugh, notary public, and his testimony is being taken in the matter of the contest of A. G. Curtin

for the right to a seat in the Forty-sixth Congress of the United States, as Representative for the Twentieth Congressional district of Pennsylvania, and is a competent witness in all matters in the relation to the payment of his taxes to John P. Hile.)

Q. Did your brother, A. A. Kelly ever tell you so?—A. Yes, he did.

Q. Was it before or after you voted that John P. Hile told you that he would mark your taxes paid?—A. It was before and after.

Q. How long after you voted did he tell you this?—A. 'Twas the same day.

Q. How did he come to tell you?—A. My vote was challenged; we was talking about it; he said it never would be challenged again on account of that tax for it had been legally paid.

Q. How long before you voted was it that John P. Hile said your taxes were paid, or that he would mark them paid?—A. The April before.

Q. Did John P. Hile say to you only once on election day that he would mark the taxes paid, and was that not after you voted?—A. No, sir; he told me twice on election day.

Q. Did he on election day tell you this at all until after you voted?—A. He did.

Q. Was it between the time your vote was challenged and the time you voted that he first told you that he would mark your taxes paid?—

A. Well, it was between the time my vote was challenged and time I voted on that day.

Q. Have you settled with John P. Hile since the election of November 5, 1878?—A. I have not.

Q. Did you settle with him between April, 1878, and the election of November 5, 1878?—A. I did.

Q. At what time?—A. In April, between the 1st and middle of April.

Q. Have you had any settlement or dealings with John P. Hile since that settlement in April?—A. I thrashed rye one day; he gave me wheat to pay for it.

Q. At that settlement, in April, which one came out in debt?—A. John Hile.

Q. How much?—A. Forty-three cents.

Q. Had he other tax against you beside State and county tax?—A. He had. School tax; about \$2 each year State and county; and \$1 to \$1.50 school tax.

Q. Has there been any dealings between John P. Hile and you since the April settlement, except the thrashing which you have referred to?—A. There has not.

Q. Was the 43 cents which he owed you paid you yet?—A. It is not.

Q. Do you pay any tax on real estate?—A. I do this year.

Q. Was any of your State and county taxes which you paid Hile taxes on real estate?—A. It was not.

Q. What made up your State and county taxes for the years 1876 and 1877, which you say amounted to about \$4?—A. Well, it was personal property.

Q. Have your taxes, which you say Hile agreed to mark paid, ever been marked paid on his duplicate?—A. I could not say.

Q. Why did you not get a receipt from Hile when you talked to him about taxes on election day?—A. At home he said he couldn't write, and his girls were at school.

Q. What is the politics of John P. Hile?—A. He has formerly been a Democrat.

Cross-examined :

Q. Was John P. Hile, the man to whom you paid your State and county taxes in April, 1878, collector of State and county taxes for the years 1876 and 1877 for Lumber City Boro', Clearfield County, Pennsylvania?—A. He was.

Q. Were the taxes he had against you, I mean State and county taxes for the year 1876 and 1877, taken into the settlement which you had with him in April, 1878?—A. They was.

Q. After you had settled with him, or at the time you settled with him, did he not say he would mark all the taxes he had against you up to that time paid?—A. He did.

Q. Did he after April, 1878, and before the election day ever say to you that your State and county taxes for 1876 and 1877 were paid?—A. No ; he did not.

Q. Did he ever ask you to pay those taxes after your settlement in April, 1878?—A. He did not.

Q. Did he not say to you on the day of the election in November, 1878, that he had marked your taxes for 1876 and 1877 paid, or that they were paid more than one month before said election?—A. He did not say he had marked them paid, but he said the taxes were paid ; he said they were paid more than a month before the election, or three or four times as long before.

Q. When your vote was challenged, was it challenged on account of non-payment of taxes, and did not John P. Hile say to the election board that your "taxes had been paid more than a month, or more than three or four times as long before said election," at which you voted for Andrew G. Curtin for Congress?—A. My vote was challenged on account of taxes ; he said my taxes were paid one month, or three or four before.

Q. He said this to the election board, did he, or in their hearing?—A. He did.

Q. Was it after he made this statement to the board, I mean to the election board, that your vote was received?—A. It was.

Q. Was John P. Hile, during the month of April, 1878, and at the time of your settlement with him, a cripple, and unable to write?—A. He was.

Q. Was he not from that time and until November 5, 1878, a cripple, and unable to write?—A. He was, and is yet.

Q. Was John P. Hile, collector of State and county taxes for the years 1876 and 1877 for the borough of Lumber City, State and county aforesaid, indebted to you when he agreed to mark your State and county taxes for years 1876 and 1877 paid?—A. He was.

Re-examination :

Q. Was it, or was it not, in the evening when you settled with John P. Hile in April, 1878, and were there not in Hile's house at that time some of his family who could write?—A. It was in the evening, about dusk, that we made the final settlement. There was some of the family there that could write in the evening ; but he said not to bother that evening ; that we could fix it some time again.

And further saith not.

JOHN L. KELLY.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

And now, 6.45 p. m., adjourned till 9 a. m. February 28, 1879.

Depositions of witnesses taken before W. N. Prothero, a notary public of the State of Pennsylvania, a resident of the town of Du Bois, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the office of John Du Bois (old office), in depot building of railroad company, at Du Bois, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, contestee, on the 3d day of March, A. D. 1879, commencing at 1.10 p. m.

JOSEPH JACOBS sworn.

Question. Where do you reside?—Answer. Du Bois, Clearfield County, Pennsylvania.

Q. Where did you vote at the general election held November 5, 1878?—A. Luthersburg, Brady Township, Clearfield County, Pennsylvania.

Q. For whom did you vote at said election for Congress?—A. I voted the straight-out Democratic ticket.

Q. Did or did you not vote for Andrew G. Curtin for Congress?—A. Yes, sir; I did.

Q. When did you last pay a State or county tax, and to whom?—A. I forget the date. I have the receipt at home; paid it to Isaac Wilson, collector of Bradford Township, some time last summer.

Q. Did you reside in Bradford Township last summer?—A. No, sir.

Q. How did you come to pay Isaac Wilson your tax?—A. On property situated in Bradford Township.

Q. What kind of tax did you pay to Isaac Wilson?—A. State and county.

Q. When did you pay it, as near as you can tell?—A. I can't recollect.

Q. To what other person have you paid a State or county tax within two years preceding the election of November 5, 1878?—A. I think I paid tax to Matthew Caldwell, in Bradford Township.

Q. When?—A. I can't tell until I look over my receipts.

Q. When did you move to Brady Township?—A. I think it was two years the 1st of this month.

Q. Have you ever paid any State or county taxes that were assessed in Brady Township?—A. I have not.

Q. How old are you?—A. I will be forty-six in June.

Q. Where did you pay Matthew Caldwell your taxes?—A. All the taxes that I have paid I paid in Bradford Township.

Q. Are you certain that you paid Matthew Caldwell a State or county tax?—A. I don't recollect whether I paid it to him or the treasurer, or to whom I paid the taxes to.

Q. Where did you pay Isaac Wilson a State or county tax?—A. In Bradford Township.

Q. Have you a property in Bradford Township?—A. Yes, sir.

Q. Who lives on it?—A. A man by name of Hudson Mason.

Q. What rent does he pay you for this property in Bradford Township?—A. I let him have the rent for fixing up the fences and what repairs were needed about the house.

Q. Who was to pay the taxes?—A. He was to pay me money enough to pay the taxes.

Q. Was or was it not a part of your agreement when he rented the property that Hudson Mason should pay the State and county taxes?—A. He was to pay me the amount of the taxes or send me a receipt for the taxes paid.

Q. Who paid the taxes in Bradford Township to Isaac Wilson; that is, was it Hudson Mason or did you pay them yourself in money?—A. Hudson Mason sent a letter to me with a receipt in it.

Q. Who paid the taxes to Matthew Caldwell?—A. Well, I don't know. I would not be positive about the taxes to Matthew Caldwell.

Q. Then you cannot swear that any taxes were paid to Matthew Caldwell at all?—A. No, sir.

Q. Then the taxes paid by Mason to Isaac Wilson were a part of the consideration of the rent of your property to Mason?—A. Consider, of course, the taxes.

Cross-examined:

Q. Was the property in Bradford Township assessed in your name?—A. Yes, sir.

Q. What time last summer, as near as you can tell, were these taxes paid, as near as you can tell, in the way you have stated?—A. In the latter part of the summer of 1878.

Q. Was it before the 1st of October, 1878?—A. It must have been before that.

Q. Did you show your receipt to the election board?—A. I did not.

Q. If Mason had not sent you a receipt for the taxes, would he, under your arrangement, have been required to pay you that much rent in money?—A. He would or leave the property.

Q. Did you reside in Brady Township more than two months before the election of November, 1878?—A. Yes, sir.

Q. Did you reside in the State one year before the election?—A. Yes, sir.

Q. Are you a native born?—A. Yes, sir.

Re-examined:

Q. Are you married?—A. Yes, sir.

Q. Have you and your wife resided together for the last year?—A. Yes, sir.

Q. When you voted in Brady Township, on November 5, 1878, was your vote challenged or questioned by the board in any way?—A. It was not.

And further saith not.

JOS. JACOBS.

Attest:

[SEAL.]

W. W. PROTHERO,
Notary Public.

JOHN C. HARWICK sworn.

Question. What is your age, and where do you reside?—Answer. I will be 31 years of age next May; live in Du Bois City, Sandy Township, Clearfield County, Pennsylvania.

Q. State if you voted in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878.—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. State if you had paid a State or county tax within two years preceding said election of November 5, 1878, which was assessed at least two months, and paid at least one month before said election.—A. I don't know without seeing Jamison's duplicate.

Q. When did you last pay State or county tax outside of what you paid Jamison?—A. Here it is; I have a receipt dated May 31, 1876, for

seven $\frac{28}{100}$ dollars, State and county tax for 1874 and 1875, paid John McClelland, at Clearfield, Pennsylvania.

Q. State if that is the last State or county tax you paid except what you paid Jamison, the collector.—A. Yes, sir.

Q. When do you think you paid Jamison a State or county tax?—A. Well, I don't know that.

Q. Was it before or after the election of November 5, 1878?—A. I don't know, indeed.

Q. Can you swear that you paid Jamison any State or county tax within two years preceding that election of November 5, 1878?—A. Of course, I can't swear to it.

Q. Can you say on your oath that you think you paid him any State or county tax within two years preceding that election?—A. No, sir.

Q. Can you not say on your oath that you did not pay Jamison any State or county tax within two years preceding that election of November 5, 1878?—A. No, sir; I cannot.

Q. Where was you when you paid Jamison any tax, State or county?—A. I do not know exactly, in the shop or where. He collected taxes from me several times.

Q. Do you mean to swear that you paid Jamison State or county taxes several times?—A. No, sir.

Q. Do you know, or do you swear, that you ever paid him State or county taxes?—A. Yes, sir.

Q. Have you a receipt for the payment of such taxes?—A. No, sir.

Q. Did you pay him State or county taxes more than once?—A. I don't know.

Q. When did you move to Brady Township?—A. October 29, 1876.

Q. When, as near as you can tell, did you pay Jamison a State or county tax?—A. I don't know.

Q. Was it before or after the election of November 5, 1878?—A. I don't know.

Q. How much money did you pay Jamison for your State and county tax?—A. I don't know.

Q. Can't you tell whether it was before or after the election of November 5, 1878, that you paid Jamison a State or county tax?—A. I may have paid him a tax before and since. I know I have paid him poor tax.

Q. Did you pay Jamison any State or county taxes at any time in money?—A. I don't know that exactly.

Q. How did you pay Jamison State or county taxes?—A. I paid him some in work.

Q. Did you pay him any in money?—A. I don't know.

Q. When did you do the work?—A. I don't know.

Q. What kind of work?—A. Repairs on harness.

Q. Did you ever settle with Jamison for this work or for taxes?—A. He always settled with me for the work.

Q. Did he pay you?—A. He gave me credit on my taxes.

Q. What amount of work have you done for Jamison since you have been in Brady Township?—A. I can't tell you that.

Q. Did you charge Jamison with the work that you did on your books?—A. No, sir.

Q. How do you know that your work was credited by Jamison on your taxes?—A. I judge that he credited me because that was the understanding.

Q. Then you can't tell how much your taxes were or how much work you did for Jamison?—A. No, sir.

Cross-examination :

Q. Do you own any real estate in Brady Township, or do you pay taxes on any real estate?—A. I have real estate in Brady Township.

Q. Have you not some idea of the amount of work you did for Jamison?—A. Something in the neighborhood of a dollar, close on to that.

Q. Was your vote challenged at the election of November 5, 1878?—A. No, sir.

Q. At the time you did work for Jamison, state what arrangement, if any, there was about him marking your taxes paid, or state what arrangement there was as to how you were to pay your taxes.—A. There was no particular arrangement how I was to pay it.

Q. What taxes—I mean for what years was Jamison collecting?—A. I don't know.

Q. Have you resided in Brady Township, Clearfield County, Pennsylvania, continuously since the 29th of October, 1876, to this time?—A. Yes, sir.

Q. Are you American born?—A. Yes, sir.

Re examined :

Q. When did you last do work for Jamison?—A. I don't know that. I done some work since New Year's, I think.

And further saith not.

J. C. HARWICK.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

ELLIOT MCCRACKIN affirmed.

Question. Where do you reside, and what is your age?—Answer. I live in Brady, or Sandy Township it is now, and am forty-six years old.

Q. Did you vote in Brady Township at the general election of November 5, 1878?—A. Yes, sir.

Q. At said election did or did you not vote for Andrew G. Curtin for Congress?—A. I voted for Curtin.

Q. When did you last pay a State or county tax, and did you pay a State or county tax within two years preceding the election of November 5, 1878?—A. I paid summer a year ago to Huffman, a collector of Huston Township, on the road between Newell's and Burns's.

Q. What kind of tax did you pay?—A. State and county.

Q. How much did you pay him?—A. Twenty-two cents.

Q. Did you get a receipt?—A. No, sir.

Q. Have you paid any other State or county taxes except what you paid Huffman within two years preceding November 5, 1878?—A. No, sir.

Q. Are you married?—A. Yes, sir.

Q. How long have you, your family, and your wife resided in Brady Township?—A. A year ago the 20th of January I moved here.

Q. When you paid Huffman this tax had he his duplicate with him, and did you see his duplicate?—A. He had his duplicate with him. Yes, sir; I saw his duplicate.

Q. Was he, Huffman, collector of school or poor or road tax?—A. That I could not tell you; he asked me for no tax but State and county.

Cross-examined :

Q. Do you know where, in Huston Township, this man you call Huffman lived?—A. He lived in Penfield.

Q. Is not his name Sylvester Hunt instead of Huffman?—A. No, sir.

Q. Do you know Hunt?—A. Yes, sir; I know Mr. Hunt when I see him.

Q. Are you American born?—A. Yes, sir.
And further saith not.

his
ELLIOT + McCRAKIN.
mark.

Attest:
[SEAL.]

W. N. PROTHERO, *Notary Public.*

And now, March 3, 1879, it is agreed by counsel for contestant and contestee that Andrew Tawzer, a witness, be called to testify the same as if notice had been regularly served for the taking of the testimony of said witness on this day, March 3, 1879. A notice having been served by contestee on contestant to take said Tawzer's testimony on March 4, 1879, testimony to have the same effect as if taken on March 4, 1879.

D. L. KREBS,
Of Counsel.

W. A. ARNOLD,
Of Counsel for Contestee.

ANDREW TAWZER affirmed.

Question. Where do you reside and what is your age?—Answer. In Du Bois, Clearfield County, Pennsylvania. Am fifty-six years old.

Q. Where did you vote at the general election of November 5, 1878?—A. In Luthersburg, Brady Township.

Q. For whom did you vote at said election for Congress, and did you vote for Andrew G. Curtin for Congress?—A. I voted for Curtin.

Q. Did you at least one month before the general election of November, 1876, pay a State or county tax?—A. I paid a tax. I can't tell whether it was a month before it was or not.

Q. Did you pay a State or county tax for the year 1876 during the year 1876, and in legal time to vote at the general election of November, 1876?—A. Certainly I did.

Q. When since 1876 have you paid a State or county tax?—A. I paid the last tax in the fall of 1877.

Q. To whom did you pay your State and county tax of 1877?—A. James Thompson paid my tax. I cannot tell who the collector was.

Q. Excepting the State and county taxes you paid in 1876, and the State and county tax which Thompson paid in 1877, have you paid any other taxes, State and county, since the fall of 1876?—A. Not as I know of.

Cross-examined:

Q. How did James Thompson come to pay tax of 1877 for you?—A. I was working for him, and he agreed to pay my taxes; he always paid my taxes.

Q. Did he tell you that he had paid your State and county tax for the year 1877?—A. That's what I understood him last fall.

Q. Had you lived one year in the State, and more than two months in the election district of Brady Township prior to the 5th of November, 1878?—A. Yes, sir.

Q. Are you American-born?—A. Yes, sir.
And further saith not.

his
ANDREW X TAWZER.
mark.

Attest:
[SEAL.]

W. N. PROTHERO, *Notary Public.*

Counsel for contestant, D. L. Krebs, esq., makes the same agreement as to J. C. Dufee as was made respecting the last witness, Andrew Tawzer, that his testimony be taken with the same effect as if notice had been regularly given counsel for contestant, as required by act of Congress,

D. L. KREBS,
Of Counsel.
 THOS. H. MURRAY,
Counsel.

J. C. DUNFEE sworn.

Question. Where do you reside, and what is your age?—Answer. Reside in Du Bois, Sandy Township; my age is twenty-seven years.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—

A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew Curtin.

Q. When did you last pay a State or county tax?—A. In 1876.

Q. Was it before or after the Presidential election of November, 1876?—A. Before.

Q. How long was it before that election, as nearly as you can tell?—A. Couldn't say positively, but think it was three or four weeks.

Q. Are you positive it was over two weeks before that election?—A. I think I am. I might safely say yes.

Q. It was before the 5th of November, then, 1876?—A. Yes, sir; I know that.

Q. You had not paid a State or county tax, then, within two years preceding the general election of November 5, 1878?—A. No, sir.

Cross-examined:

Q. Do you know whether or not any other person had paid State or county tax for you since 1876?—A. They did not. I pay my own tax.

Q. Why did you not pay a State or county tax within two years prior to said election, and more than thirty days before it?—A. Did not know who to pay it to unless it was Jamison, and he didn't ask me for it.

Q. You think, then, you hadn't paid any tax within two years of the 5th of November, 1878?—A. No, sir.

Q. Have you a receipt for the last tax you paid?—A. I have not with me.

Q. Who did you pay the last tax to?—A. Kuntz, proprietor of City Hotel.

Q. Do you know the date of the receipt?—A. I can't say positive. I think it was October 3 or September 3, 1876.

Q. Are you sure it was 1876?—A. Yes, sir.

Q. How long have you lived here?—A. Four years in June next.

Q. Where was Kuntz when you paid him this tax?—A. Right where he is now, at the City Hotel.

Q. Was he tax-collector?—A. I believe that Draucker was constable and collector; he gave Kuntz authority to collect.

Q. Did you read your ticket?—A. Could not say; but I know it was a Curtin ticket.

Q. Who did you get it from?—A. Julius Turpe; he's a Democrat, every inch of him, as far as I know.

Q. Can you say whether or not you read your ticket?—A. I can't say whether I read it, but I know I looked at it.

Q. If you did not read your ticket can you swear positively that Curtin's name was on it?—A. Do know that I could swear that. I wouldn't want to swear to a lie, but I know that would not be a lie to swear to that.

Q. Your purpose was to vote for Curtin?—A. Yes, sir; the straight Democratic ticket.

Q. And you think you did so without being able to swear positively that you read your ticket?—A. Yes, sir.

Q. Where was Turpe when you got your ticket from him?—A. In Dr. Means' office, in Luthersburg.

Q. Can you swear that you saw Curtin's name on the ticket you put in election window?—A. I cannot positive that I saw Curtin's name; but it was a Democratic ticket.

Re-examined:

Q. Is or is not Dr. Means a Democrat?—A. Yes, sir.

Q. Was or was not his office a kind of Democratic headquarters for the distribution of tickets for that election?—A. Yes, sir; it was.

And further saith not.

JAMES C. DUNFEE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

Adjourned at 5.30 p. m. March 3, 1879, to 8 a. m. March 4, 1879.

MARCH 4, 1879.—8 a. m.

Counsel for contestant agree that this witness, James M. Carter, shall be examined and his testimony taken with the same effect as though notice thereof had been given as required by act of Congress.

JAMES M. CARTER produced and sworn.

Question. State what is your age, and where you reside.—Answer. Thirty-one years old; live in Du Bois, Sandy Township, Clearfield County, Pennsylvania.

Q. State if you voted in the election district of Brady Township at the general election of November 5, 1878.—A. I voted at last fall election.

Q. Do you mean at general election?—A. I did not vote at the general election. I voted for Charley Schwear.

And further saith not.

J. M. CARTER, JR.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN LYONS sworn.

Question. What is your age, and where do you reside?—Answer. I was forty-eight the 26th of last September. I live out on this side of West Liberty, in Sandy Township.

Q. Did you vote at the general election of November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote at said election for Andrew G. Curtin?—A. Yes, sir; I did.

Q. Did you pay a State or county tax in the year 1876, and at what time in that year?—A. Yes, sir. August 12, 1876.

Q. Did you pay any other State or county tax in 1876?—A. No, sir.

Q. Did you pay any State or county tax yourself in 1877?—A. Yes, sir; I did.

Q. To whom did you pay it?—A. I paid it to the constable; he levied on my property and was going to sell it.

Q. Did he sell it?—A. He did sell it, and I took out a man to bid it in.

Q. Who bid it in?—A. Augustus Heverling.

Q. Then you paid the tax to Haverling, did you not?—A. Yes, sir; I did.

Q. How much was your State and county tax for the year 1877?—A. Forty-eight cents. I mean sixty-two cents.

Q. What property was levied on to pay your taxes by constable?—A. There was a scap of bees and a pair of twin sleds and some corn fodder.

Q. When was the property sold?—A. I think it was some time in April, 1877.

Q. How long after the property was sold did you redeem the property from Heverling?—A. I redeemed right away; two or three days afterward, as near as I could tell.

Q. How much did you pay Heverling for the property?—A. Well, that I can hardly tell you; the tax was all together, and I can hardly tell how much it was.

Q. About how much, as near as you can tell?—A. I think it was something over six dollars.

Q. Did you pay any State or county tax since August, 1876, except the tax that was paid by the sale of your property in 1877?—A. No, sir; that was the last I paid.

Cross-examined:

Q. Had you lived one year in the State and more than sixty days in the election district of Brady prior to that immediately preceding the 5th of November, 1878?—A. Yes, sir; I never lived any place else.

Q. Are you an American-born?—A. Yes, sir.

Q. Was the levy and sale of the personal property you have mentioned for State and county as well as other taxes?—A. Yes, sir; it was.

Re-examined:

Q. Then, I understand you, that your property was levied on and sold for your taxes of 1877; that the property was bid in by Augustus Heverling, and you redeemed the property a few days afterwards from Heverling by paying him?—A. Yes, sir.

Recross-examined:

Q. Did or did not Heverling at your request buy in that property for the amount of taxes against it, or what arrangement was there with Heverling about buying it?—A. Yes, sir; I had. I thought the property would be sold for little or nothing, and I got him to buy it in.

And further saith not.

JOHN LYONS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WILLIAM SHAFER SWORN.

Question. What is your age, and where do you reside?—Answer. Twenty-five years old; in Sandy Township, Clearfield County, Pennsylvania.

Q. Did you vote in Brady Township at the general election of November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote at said election for Andrew G. Curtin for Congress?—A. I did.

Q. When did you last pay a State or county tax?—A. In 1877.

Q. When in 1877?—A. I paid it on the election-day.

Q. Did you vote on that tax at the general election of November, 1877?—A. I don't mind whether I voted on it or not.

Q. Whom did you pay the tax to?—A. A. M. Draucker.

Q. When did you get your receipt from Draucker, if you got any at all?—A. I got it on the election evening of 1877; my father brought it in.

Q. Then your father paid the tax and brought you the receipt?—A. Yes, sir.

Q. When you got the receipt that evening was that the first you knew of your father having paid the tax?—A. I knowed he was going to pay them. I sent the money with him.

Cross-examined:

Q. How long have you lived in Brady Township prior to the 5th of November, 1878?—A. I have lived in it all the days of my life; was born in it.

And further saith not.

WILLIAM ^{his} + SHAFER.
mark.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

W. IRVING HORN sworn.

Question. Where do you live and what is your age?—Answer. Du Bois, Sandy Township. I was twenty-four years old last November 6th.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Had you within two years preceding that election paid a State or county tax which was assessed at least two months and paid at least one month before that election?—A. Yes, sir.

Q. To whom and when did you pay that tax?—A. Austin Curry, the 21st of last March.

Q. Have you a receipt?—A. Yes, sir.

Q. Is your receipt signed by Austin Curry, or anybody else?—A. No, sir.

Q. Was Austin Curry a tax-collector, and was you working for him?—A. He was tax-collector; I was not working for him.

Q. How much was your tax you paid him?—A. Seventy-nine cents.

Q. In what township did you pay these taxes to Curry and in what township were they assessed?—A. Chest Township.

Q. When these taxes were assessed or paid, did you own any real estate or personal property?—A. Yes, sir.

Q. What property were you assessed with?—A. A piece of land in Chest Township.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife live in Brady Township for the two months immediately preceding November 5, 1878?—A. Yes, sir.

Q. Is the tax you said you paid Curry the only State or county tax which you paid within the two years preceding November 5, 1878?—A. Yes, sir.

Cross examined :

Q. Did you pay Curry the tax in money?—A. Yes, sir.

Q. Was the receipt which you have shown here, and which is not signed, given you by Curry at the time you paid him the money?—A. Yes, sir.

Q. Were you born and have you lived in the State all your life?—A. Yes, sir.

And further saith not.

WM. I. HORN.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

DAVID SNYDER produced and affirmed.

Question. Where do you live and what is your age?— Answer. I live in Brady Township. I think I will be 35 years of age the 19th of next May.

Q. Did you vote in the election district of Brady Township at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you or did you not vote for A. G. Curtin at said election?—A. I could not tell you voted for; Jesse Lyons, of Brady Township, he made out my ticket.

Q. Did you not vote the Democratic ticket?—A. I voted it as far as I know.

Q. Did you or did you not intend to vote the Democratic ticket and for Curtin for Congress?—A. Yes, sir; I intended to vote it.

Q. Did you not tell Jesse Lyons what ticket you wanted?—A. No, sir; I didn't tell him what ticket I wanted.

Q. Where was Jesse Lyons when he gave you the ticket?—A. He was in Bill Schwen's bar-room.

Q. Is not he, Jesse Lyons, a Democrat, and also Wm. Schwen a Democrat?—A. I could not tell you whether they're Democrats or not.

Q. When Jesse Lyons gave you that ticket did you not understand you were getting a Democratic ticket?—A. Why, I took it as a Democratic ticket.

Q. Did you vote the ticket he gave you?—A. Yes, sir; I voted the ticket he gave me.

Q. Was not the election held in Wm. Schwen's building?—A. Yes, sir; it was held in his building.

Q. Did you not intend to vote for the Democratic candidate for Congress?—A. Yes, sir; I intended to.

Q. If Curtin was the Democratic candidate for Congress, is he not the man you intended to vote for and that you understood you was voting for when you got that ticket and voted it?—A. Yes, I understood when I got that ticket that I was voting for him.

Q. Do you not now believe that you did vote for him?—A. Well, sir, I believe I voted for him.

Q. What kind of tickets was Jesse Lyons dealing out that day?—A. Why, he was dealing out Democratic tickets.

Q. When you asked him to make up your ticket, did you apprehend any danger of getting a Republican ticket from that source?—A. I didn't

ask him to make up my ticket. I was not any ways afraid of getting a Republican ticket from him.

Q. When did you last pay a State or county, tax as nearly as you can tell?—A. I paid my last State and county tax to-day.

Q. To whom?—A. To Jamison, collector.

Q. When did you before pay the last State or county tax, as nearly as you can tell?—A. It was in 1876.

Q. About how long was it before the Presidential of 1876?—A. I couldn't have any idea.

Q. Can you not say if it was one or two or three months before that election?—A. No, sir; I could not tell whether it was one month or two or three.

Q. Was it not some weeks before that Presidential election of 1876?—A. I told you I could not tell you.

Q. To whom did you pay that State or county tax which you paid in 1876?—A. I could not tell you who I paid the tax to.

Q. Did you pay it yourself or have some one to pay it for you?—A. I don't recollect whether I paid it myself or whether Martin Watts, of Ferguson Township, this county, paid it for me.

Q. What is your best recollection as to whether you paid it or whether Watts paid it?—A. I was working then for Mr. Watts, and he still paid my tax for me.

Q. Did he not pay that tax for you which was paid in 1876?—A. I could not tell whether he paid it or whether I paid it myself.

Q. Whether paid by him or yourself, was it not paid in legal time for you to vote at the Presidential election of 1876?—A. I think it was paid in time to vote at that election.

Q. Was or was not that the last State or county tax which you have paid until the tax you paid to-day?—A. That's the last county or State tax that I paid till I paid that to-day.

Q. What year's tax was it that you paid in 1876?—A. I could not tell you what year's tax.

Q. Was it or not the State or county tax for 1876, if you recollect?—A. I could not recollect.

Q. When did you leave Ferguson Township to come to this township?—A. It will be two years ago this spring. When I moved from Ferguson Township I moved into what is now Sandy (then Brady), and remained until some time after the election of November 5, 1878, when I moved out of what is now Sandy into what is now Brady. The township line of Brady has been changed since the election of November 5, 1878, by the creation of a new township, called Sandy. I did reside in the election district of Brady at the time of the election of November 5, 1878.

Q. Was or was not the tax that you paid in 1876 in Ferguson Township paid to the collector of Ferguson Township?—A. It was paid to the collector; don't remember his name.

Q. Did you vote in Ferguson Township, this county, at the Presidential election of 1876?—A. Yes, sir.

Q. Did you or not then vote upon the payment of taxes which you have spoken of as being made by either you or Watt in 1876?—A. I think I voted on them taxes.

Cross-examined:

Q. Did you pay State and county tax for 1875?—A. Yes, sir; I paid tax every year I lived down there at the river.

Q. May you not, then, have voted in November, 1876, upon the State and county tax paid for 1875?—A. No; I think it was on the 1876.

Q. Could you not have voted at the election in 1876 upon your tax of 1875, which you paid in 1875?

(Objected to because it is not a question what the witness could vote on, but what he did vote on.)

A. I don't understand the question.

Q. Did you not pay tax on the day of the election in November, 1876?—A. Why, I paid some on the day of election. I can't recollect what tax they were.

Q. Was that on the day of the Presidential election of 1876?—A. I can't recollect whether it was that day, but I suppose it was the Presidential election.

Q. Was it not at the election held in the fall of 1876?—A. I don't recollect.

Q. To whom did you pay that tax?—A. Could not recollect.

Q. Was it not tax assessed for the year 1876?—A. I could not tell you.

Q. Do you know when you paid your taxes for 1875?—A. I do not know when.

Q. Do you know whether or not you owed or had unpaid any taxes at the time you left Ferguson Township?—A. There one year's tax I didn't pay down there for 1877.

Q. Did you read your ticket before you voted?—A. No, sir.

Q. Did you open it at all after it was handed to you before you stuck it in?—A. No, sir.

Q. Can you swear positively for whom you voted last fall?—A. No, sir.

Q. Were you born in this State, and did you live in it one year immediately preceding the 5th of November, 1878?—A. Yes, sir.

And further saith not.

his
DAVID + SNYDER.
mark.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

W. WASHINGTON DICKSON sworn.

Question. Where do you reside, and what is your age?—Answer. In Sandy Township; am thirty-five years old as near as I can tell.

Q. Did you reside in Brady Township during the two months immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania during the one whole year or more immediately preceding the said election of November 5, 1878?—A. Yes, sir.

Q. Were you born in the United States?—A. Yes, sir.

Q. Have you paid a State or county tax within two years preceding said election, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Did you offer to vote at the election polls of Brady Township on November 5, 1878?—A. Yes, sir.

Q. Did you offer and desire to vote for Seth H. Yocum for Congress?—A. Yes, sir.

Q. Were you ready and willing before said election board of Brady Township, when you offered to vote November 5, 1878, to make proof of your qualifications as a voter?

(Objected to for the reason that the question is improper in form.

The witness should be asked what proof he did produce of his right to vote in said district; that the question is leading and suggestive.)

A. Yes, sir; Mr. Fuller was there.

Q. Was Mr. Fuller there to make necessary proof of your qualifications as a voter?

(Objected to as leading and improper.)

A. Yes, sir.

Q. Did or did not the election board of Brady Township, Clearfield County, Pennsylvania, refuse to take your vote?—A. Yes, sir.

Cross-examined:

Q. When did you come into Brady Township?—A. It has been three or four years, anyhow.

Q. Have you lived in Brady Township continuously ever since?—A. Yes, sir.

Q. Were you registered or your name on the registry list of voters in Brady Township?—A. No, sir.

Q. Did you make and sign an affidavit that you had lived in the United States and the State of Pennsylvania one year and more than sixty days immediately preceding the 5th of November, 1878, in Brady Township; and did you also in any such affidavit set out that you had not moved into the election district of Brady for the purpose of voting?—A. No, sir.

Q. Did you have Mr. Fuller, or any other person, make and sign an affidavit that they knew that you were a citizen of the United States, that you had lived at least one year in this State, and more than sixty days in the election district of Brady Township, Clearfield County, Pennsylvania?—A. I don't know as I did.

Q. Did any other person do so?—A. No, sir.

Q. Did you ask the election officers to give you any blank affidavits to fill up and sign and be sworn to by yourself and a witness with you?—A. No, sir.

Q. Was your vote challenged?—A. Yes, sir.

Q. What did the election officers say to you when your vote was challenged?—A. They objected to my vote, asked me whether I paid any poll tax; that's all I remember.

Q. Did you show them a tax receipt for taxes paid within two years before the election, and paid more than thirty days before the election?—A. No, sir.

Q. Did you call the collector to prove you had paid taxes in time to entitle you to vote?—A. No, sir.

Q. Did you make and sign any affidavit that you had paid tax in time to entitle you to vote?—A. No, sir.

Q. Did you ask the board of election officers to give you a blank affidavit to be filled up and signed by you, proving a payment of State and county tax which would entitle you to a vote?—A. No, sir.

Q. Was the collector to whom you paid the State and county tax at the election house in Brady Township, Clearfield County, Pennsylvania, on the day of the election?—A. No, sir.

Q. Had you not a receipt for that payment of tax?—A. No, sir; not there, I hadn't.

Q. To whom did you pay that State and county tax?—A. Benjamin Haugh; February 9, 1878; seventy cents county and State tax for 1877.

Q. Did not the election officers, when your vote was challenged, tell you that you must make proof of your payment of tax, and your residence, because your name was not on the registry list?—A. No, sir.

Re-examined :

Q. Who challenged your vote ?—A. Mr. Geo. C. Kirk, judge of election.

Q. What did you do then ?—A. I dropped it then.

Q. What question did they ask you in reference to the payment of your tax ?—A. He asked me if I had ever paid any poll tax. I never heard of such a thing as poll tax before, and I answered no.

Q. Did they ask you if you had paid a State or county tax within two years preceding the election ?—A. I think they did, if I remember.

Q. What was your reply to that question ?—A. I told them that I had.

Q. Did you tell them where you had paid these taxes and when ?—A. I told them where I had paid them, and that I had paid them within two years, and I told them the time as nearly as I could.

Q. Do you know what reason they gave for rejecting your vote ?—A. No, sir.

Q. Did they offer you or furnish you any blank affidavit, or fill up any blank affidavit for you to swear to or sign ?—A. No, sir.

Q. Did they inform you that it was necessary to subscribe and swear to a written affidavit as to your payment of tax and residence ?—A. No, sir.

Q. Did they or not speak to you on the subject of a written affidavit, or say anything to you about it ?—A. No, sir.

Q. When you told them that you had paid a State or county tax within two years, did they ask you to be sworn to it ?—A. No, sir.

Q. Did you offer to be qualified to the payment of the State and county tax within two years and more than one month before that election ?—A. No, sir.

Q. Did they ask you to be sworn to the payment of a poll-tax within two years ?—A. No, sir.

Q. Were you ready to be sworn to the payment of a State and county tax within two years, and more than one month before that election, and were you then willing to be so sworn ?—A. I was there for to be sworn.

Q. Had you or not gone into the election-room for that purpose ?—A. Yes, sir.

Q. Who went with you into the room ?—A. Mr. Freeman Fuller.

Q. Is not Mr. Fuller a Republican ?—A. I never asked him his politics, but suppose he is, believe him to be such.

Q. How long had Mr. Fuller known you to be a resident of Brady Township ?—A. For a year and a half before the election.

Q. How near did you and him live together during that year and a half ?—A. I boarded with him during the latter half of the time.

Q. You had then been boarding with him about nine months preceding that election in Brady Township ?—A. Yes, sir.

Q. Was it or not because he knew you so well and knew so well of your residence in the district that he went in the election-room with you when your vote was questioned ?—A. Yes, sir.

Recross-examined :

Q. Do you swear that you asked Kirk, or any other member of the election-board, to swear you or Mr. Fuller ?—A. No, sir.

Q. Did Mr. Kirk refuse to swear either yourself or Mr. Fuller ?—A. I don't know as he did.

Q. Did you read your ticket before going to the window ?—A. Yes, sir.

Q. Did you see Mr. Yocum's name on the ticket ?—A. Yes, sir ; I did.

Q. Was you in the room where the ballot-box was, and did you see it?
—A. Yes, sir.

Re-examined:

Q. After you had stated to the board that you had paid a State or county tax within two years and more than one month before that election, what, if anything, did they say about your right to vote?—A. They said I had no right to vote.

Q. Did you drop the matter, or go away or give up your claim to a right to vote until they had said that?—A. No, sir.

Q. When they said that, what did you do?—A. I dropped it.

Q. Did they vote very rapidly at that election?—A. Yes, sir.

Q. How long was it after they said you had no right to vote until they commenced to receive other votes?—A. Don't remember; a short time.

Re-cross-examined:

Q. Where was the tax assessed that you have Ben Haugh's receipt for?
—A. In Winslow Township, Jefferson County, Pennsylvania.

Q. When did you get the receipt?—A. I got the receipt this morning.

Q. Do you know of your own knowledge when the tax it calls for was paid?—A. No, sir.

Q. Had you any knowledge of the payment of other tax within two years, when you was before the election board at Luthersburg?—A. Yes, sir.

Q. When and where had you paid other State and county tax?—A. I never paid any myself any other where.

Q. Have you a receipt for that, and when did you get it?—A. I have no other receipt.

Q. Who did you direct to pay your tax?—A. Mrs. Salada, who is renting my property and paying taxes for the rent.

Q. How long has she been doing so?—A. Have not got the date, but it is for the last year.

Q. Does the receipt which you have from Ben Haugh say that Mrs. Salada paid that 70 cents?—A. No, sir; I don't know as it does.

Q. Does it not say who it was received from?—A. It says, "Received from John Con."

Q. Did you have an arrangement with John Con to pay your tax?—A. No, sir; he was living with her and he paid it for her.

Q. When did Ben Haugh write that receipt; don't you know?—A. I don't know.

Q. Didn't you see Ben Haugh this morning?—A. No, sir.

Q. Who did you get it from?—A. Mrs. Salada.

Q. How far does she live from here?—A. About three miles and a half, the place where my property is.

Re-examined:

Q. Did Mrs. Salada know that you were going for that receipt?—A. No, sir.

Q. Had you knowledge from her that the payment of these taxes was made more than a month before the election of November, 1878?—A. Yes, sir.

Q. Was that payment by her in accordance with the previous contract between you and her, respecting this property which you say is three and a half miles off?—A. Yes, sir.

Q. Are you not satisfied that the receipt for these taxes is genuine,

and was written by the collector at the date it bears, and was delivered by him at about the time the taxes were paid?—A. Yes; I am satisfied that it was.

Q. Have you any statement of any other taxes paid by Mrs. Salada, under the same contract and in the same way, within two years and over one month preceding that election?—A. Yes, sir. Here it is: State and county tax, 38 cents; school, 32 cents; total, 70 cents.

Q. When did you get that statement?—A. This morning.

Q. When did you learn or have knowledge of her having paid these taxes?—A. This morning is the first I ever knew of it.

Q. When did she inform you that she had paid these last taxes?—A. Before the election, of course.

Q. Was it over thirty days before the election?—A. Yes.
And further saith not.

W. WASHINGTON ^{his} + DICKSON.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

Adjourned at 1.15 p. m. to 2.15 p. m. same day.

2.15 p. m., examination resumed.
FREDERICK KNARR sworn.

It is agreed that this witness, Frederick Knarr, and also any other witnesses who have been called or may be called during the different sessions and hearings before W. N. Prothero, at Du Bois, Clearfield County, Pennsylvania, as to whom there may be any question as to the sufficiency of the notice under the act of Congress to the contestant, shall be examined and their testimony taken with the same effect as if due and regular notice had been given thereof, as required by act of Congress. This agreement being limited and confined to such witnesses as have been named and of which some notice has been given prior to this 4th day of March, 1879.

D. S. KREBS,
Of Counsel.
THOS. H. MURRAY,
Of Counsel.

Question. Where do you live and what is your age?—Answer. I live in Brady Township, this county. My age is fifty-two years.

Q. Did you vote in Brady Township, this county, at the general election of November 5, 1878?—A. No, sir.

Q. Had you paid a State or county tax within two years preceding the general election of November 5, 1878, and a month before said election?—A. Yes, sir; I paid it in summer time.

Q. To whom?—A. Constable Jamison, the collector.

Q. Where were you born?—A. In Germany.

Q. What was your age when you came to the United States?—A. Twenty-six years.

Q. Were you ever naturalized?—A. I got my first paper, and I went for the second and the prothonotary was not at home.

Q. You never got out your second papers, then?—A. No, sir.

Q. How long have you been voting in Brady Township?—A. About five years. I wasn't at the election pretty near all the time.

Q. How did you vote without being at the election?—A. When I was not at the election I did not vote.

Q. How often did you vote in Brady Township, about?—A. More than I can tell. May be three or four times.

Q. Are there any other men by the name of Frederick Knarr in Brady Township?—A. No, sir; not as I know of.

Q. Have you a son named Frederick Knarr?—A. Yes, sir; but he never voted.

Q. Are you certain that neither you nor your son Frederick Knarr voted at the general election of November 5, 1878?—A. I did not, and my boy I know did not.

Q. Excepting yourself and your son, is there any other Frederick Knarr who resides in Brady Township?—A. Not as I know of.

Q. How long have you lived in Brady Township?—A. About twelve years.

Cross-examined :

Q. How old is your son Fred'k Knarr?—A. Twenty-four years.

Q. Was he in Luthersburg on the day of the election, November 5, 1878?—A. No, sir; not as I know of.

Q. Does J. Milton Carlisle or J. W. Corp know your son Frederick?—A. Yes; of course they do.

Q. Where does your son live?—A. He lives with me.

Q. How far from Luthersburg, the place of holding the election, do you and your son live?—A. Four miles.

Q. Were you in Luthersburg yourself on the day of the election?—A. No, sir.

Q. What were you doing on the day of the election?—A. That's more than I can tell you.

Re-examined :

Q. Why did not your son go to the election?—A. That's more than I can tell.

Q. When you or your son vote, or either of you do, you vote the Democratic ticket?—A. Mostly I vote the Republican ticket; it makes better times.

And further saith not.

FRIEDRICH KNÄRR.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

A. M. DRAUCKER produced and affirmed.
(Witness called by mistake.)

DAVID SHAFFER produced and sworn.

Question. Where do you reside and what is your age?—Answer. In Sandy Township, Clearfield County, Pennsylvania; I am thirty years old.

Q. Did you vote in Brady Township at the general election held November 5, 1878?—A. Yes, sir.

Q. Did or did you not, at said election, vote for Andrew G. Curtin for Congress?—A. Yes, sir.

Q. Had you paid a State or county tax within two years preceding said election, and at least one month before said election?—A. I would not be able to tell you that exactly. I have got receipts.

Q. Did you vote at the general election of November, 1876?—A. Yes, I believe I did.

Q. When did you pay your tax in 1876; that is, how long before the Presidential election, as near as you can tell?—A. Couldn't tell; I suppose it was about two months.

Q. Whom did you pay your State and county tax to for 1876?—A. Why, Draucker, I think it was.

Q. You paid him that tax, then, about two months before the election of 1876—I mean November, 1876?—A. Yes; as near as I remember.

Q. Did you, on January 31, 1879, pay J. Jamison, collector, your county taxes for the years 1877 and 1878?—A. Yes, sir.

Q. With the exception of the taxes, State and county, which you paid Draucker, about two months before the November election of 1876, and the taxes you paid Jamison on January 31, 1879, have you paid any other State and county taxes during the years 1876, 1877, and 1878?—A. No, sir.

Cross-examined:

Q. Did you not get a receipt from Draucker, collector, in April, 1878, and is not this the receipt?—A. I don't remember when I got it.

Q. Have you not a receipt which reads as follows:

“Rec'd April 22, 1878, of David Shaffer all back tax up to date.

(Signed)

“A. M. DRAUCKER.”

A. That is all the receipt I have.

Q. Did you pay J. Jamison this twelve dollars and twenty-four cents all in one payment?—A. Yes, sir.

Q. How long before you paid Jamison this tax was it that you paid Draucker, if you can tell?—A. I could not tell exactly.

Q. Can you tell whether or not you paid tax each year between 1875 and January, 1879?—A. I don't think did pay any.

Q. Do you know whether you paid any tax since 1874?—A. I can't mind anything about it.

Q. Can you tell anything about when you paid Draucker tax?—A. No; I could not.

Q. Do you know for what years Draucker was collecting State and county tax?—A. I suppose he was collecting for 1875 and 1876.

Q. Can you read and write?—A. No, sir.

Q. Can you not read printing?—A. Not very well.

Q. Can't you read some?—A. Not very much. I can make out a few words.

Q. Did you read the ticket you had before giving it to the election board?—A. No; but I had it read.

Q. Who by?—A. L. S. Gingerich.

Q. Who did you vote for for governor?—A. I don't remember.

Q. Did you vote for Hoyt or Dill for governor?—A. For Dill.

Q. How do you know?—A. It was on my ticket I stuck in.

Q. Do you remember any of the other candidates that you voted for at that election?—A. I don't remember.

Q. Can you name the candidate for Congress?—A. No; I believe not.

Q. Where was you when Gingerich gave you the ticket?—A. Out at the election.

Re-examined:

Q. Is Ginerich, who gave you the ticket you voted, a Democrat, and did you vote the whole straight Democratic ticket?—A. Yes, sir.

And further saith not.

his
DAVID + SHAFFER.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

PATRICK QUIRK sworn.

Question. Where do you reside, and what is your age?—Answer. In Du Bois City, Sandy Township; age, thirty years.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress, and was it not Andrew G. Curtin?—A. Yes, sir; I voted for Andrew G. Curtin.

Q. Where were you born?—A. Ireland.

Q. At what age did you come to this country?—A. When I was between three and four years old.

Q. Have you ever been naturalized?—A. No, sir.

Q. When did you last pay a State or county tax?—A. November 5, 1878.

Q. Have you within two years preceding November 5, 1878, to the best of your recollection, paid any State or county tax?—A. I would not like to say about that.

Q. Will you state as nearly as you can, according to the best of your recollection and belief, whether you had or had not?—A. I would not like to say; if you had the tax collector's book it would tell you.

Q. What is your recollection as to whether the last payment you made before the 5th of November, 1878, was before or after the Presidential election of 1876?—A. My recollection is it was before the Presidential election of 1876.

Q. What is your recollection as to whether it was paid in time to vote at the Presidential election of 1876?—A. My recollection is it was.

Q. Was your vote challenged at that election?—A. No; I don't think it was.

Q. Did your father come to this country with you when you came?—A. Yes, sir.

Q. How long did he remain?—A. He is here yet.

Q. Where does your father live?—A. In Massachusetts.

Q. Has he ever been naturalized that you know of?—A. I could not say whether he has or not.

Q. Was he naturalized the last talk you had with him?—A. I don't recollect of ever talking to him on the subject.

Cross-examined:

Q. Where does your father live now?—A. Bondsville, Hampden County, Massachusetts.

Q. What is his first name?—A. Daniel.

Q. Do you know of his voting any time since he came to this country?—A. I have not been down there for the last twelve or thirteen years, only on a visit.

Q. Was your taxes all paid up but the tax you paid Jamison?—A. I never had anybody ask me for any but him and Draucker and other collectors.

Q. Did you get any receipts from any of the other collectors other than Jamison?—A. Yes, sir; I got receipts.

Q. Have you any of those receipts with you?—A. No, sir.

Q. Do you know the dates of any of them?—A. No, sir.

Q. Have you those receipts at home?—A. No; I don't think I have.

Q. How long have you lived in Brady election district?—A. About eight or nine years.

Q. To how many different collectors have you paid State and county tax in Brady Township?—A. I could not say; don't remember their

names. I think I paid once to a man by the name of Corb; I would not be positive.

Q. Have you not paid all the taxes, State and county included, that you were asked for?—A. Yes, sir; with the exception of this fall. He asked me yesterday; I told him I would pay him another time.

Q. Do you remember what tax it was you were asked for yesterday and who asked you?—A. Mr. Jamison; and there was two different kinds of tax. One was poor tax. Didn't have no money, and said I would pay him some other time.

Q. Do you remember for what years the taxes were assessed?—A. For 1878.

Q. When did you pay, if you remember, your taxes for 1877?—A. Don't think I paid any; don't think I was assessed that year, that is, to the best of my recollection.

Q. Where was Draucker when you last paid him tax?—A. I don't remember where; either here or Luthersburg.

Q. Were you in Luthersburg prior to the Presidential election in November, 1876; and, if so, as near as you can tell how long before the election was it?—A. I was in there many a time before that election; could not say the date.

Q. Did your business call you there in 1876, during the months of August, September or October?—A. I never had any business there; went there when I had mind to, in them months.

Q. Can you recollect whether or not you were in Luthersburg during either of those months in 1876? Is there any way you can tell?—A. I would not say whether I was there in them months or not.

Q. Have you anything to show, or anything by which your memory is refreshed as to when or where you paid tax to Draucker?—A. I could give no dates. I have paid tax to him in this place, and my recollection is I have paid tax to him in Luthersburg.

Q. Can you say, with any degree of positiveness, when you paid Draucker?—A. No, I could not say.

Q. Had you paid a State and county tax within two years before the Presidential election to any other collector but Draucker or Jamison?—A. I stated before that I could not recollect anything about that with any degree of positiveness.

Q. May you not have paid a State and county tax to Draucker after the Presidential election?—A. I don't recollect anything about that.

Q. How do you recollect when you last paid State and county tax other than the receipt you have from Jamison?—A. Suppose I would meet you on the road, I would recollect that. I can recollect paying tax to him more than once, but cannot fix the time.

Q. Do you know whether or not you paid Draucker tax on the day of the Presidential election or since?—A. I could not give any dates.

Re-examined:

Q. According to your recollection, who did you pay the tax to on which you voted at the Presidential election?—A. My recollection is I paid them to Draucker.

Q. That was in the year 1876, and is it not your recollection that that was your State and county taxes for 1876?—A. I don't recollect whether it was for 1876 or not.

Q. Have you any recollection of being called on for State and county taxes for the year 1876, since then?—A. I can't recollect whether I was or not; if I was, I paid them.

And further saith not.

PATRICK QUIRK.

[SEAL.]

Attest: W. N. PROTHERO, *Notary Public*.

JOHN W. RICKARD affirmed.

(Contestant by counsel objects to this witness testifying for the reason that no notice was given that he would be called.

Counsel for contestee answers this by stating that notice was given that John Rickert would be called, and that the names are *idem sonans*, and that no other person of like name resides at the place given in said notice as the residence of said witness.)

Question. Where do you reside, and what is your age?—Answer. Du-Bois, Sandy Township. I am between the age of thirty-one and thirty-two years.

Q. Are you known by the name of John Rickard, or is it John W. Rickard, that you are generally called in the community?—A. I have been called John Rickard and John W. Rickard both.

Q. Do you know of anybody else of the same name, or of like name, in Sandy Township?—A. No, sir.

Q. State if you voted in the election district of Brady Township, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. For Andrew G. Curtin.

Q. When did you last pay a State or county tax?—A. The 10th of October, 1878.

Q. To whom did you pay that tax?—A. John Jamison, constable.

Q. State if according to the best of your recollection you had paid any other State or county tax within two years preceding the general election of November 5, 1878.—A. I don't know; to the best of my recollection the last time I paid my tax before that was to David McGaughey, the county treasurer, as near the time as I can remember was in June, 1876.

Q. Where did you see Mr. McGaughey when you paid him that tax?—A. At D. E. Brubaker's store, at Rockton, Union Township.

Q. What was he doing then, or what business was he engaged in?—A. He was collecting tax.

Q. State whether or not he was going over the county in his usual trip to collect taxes.—A. Yes, sir; he was.

Q. Was or was not that the payment of tax upon which you voted at the Presidential election of 1876?—A. I believe it was.

Q. Was not that the last State or county tax which you paid until the tax you paid on the 10th of October, 1878?—A. That is the last I remember of.

Q. Do you remember whether it was warm weather when you paid that tax?—A. I could not, but I believe it was.

Cross-examined :

Q. Was there any cold weather that June?—A. I do not remember.

Q. Was you living in Union Township at that time?—A. Yes, sir.

Q. Where were you the following year?—A. I was part of the time in this county and part of the time in Clarion County.

Q. When did you come into Brady Township?—A. In August, 1877.

Q. Have you lived in what was Brady Township from that time to the present?—A. Yes, sir; my family was here.

Q. Was this your residence or that of your family since August, 1877?—A. Yes, sir.

Q. Did you pay any other taxes in the years 1876, 1877, and 1878, except what you have spoken of, if you remember?—A. Nothing but school tax for the same township aforesaid.

Q. You paid no taxes then while in Clarion County?—A. No, sir.

Q. Did you examine your ticket before you thrust it in?—A. Yes, sir; I did.

Q. Did you scrutinize it with jealous care to see if Curtin's name was there?—A. Why, of course.

Q. Are you careful always to know whether you exercise properly the great American franchise of voting?—A. I do.

Q. How long before you got your receipt did you pay your due proportion of money towards paying the public expenses?—A. I got the receipt the same time I paid the taxes.

And further saith not.

J. W. RICKARD.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

And now, 6.30 p. m. March 4, 1879, adjourned until 8 o'clock a. m. March 5, 1879.

And now, 9 o'clock a. m. March 5, 1879, examination resumed.

W. D. YOAS produced and affirmed.

Question. Where do you reside and what is your age?—Answer. Brady Township is where I have been living; age, twenty-five.

Q. Did you vote at the general election in Brady Township, Clearfield County, Pennsylvania, held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote; that is, did or did you not vote the Democratic ticket at said election?—A. I voted the Democratic ticket as far as I know.

Q. From whom did you receive the ticket you voted at said election?—A. I can't answer that.

Q. Where was you when you got the ticket?—A. I got tickets at a couple of places.

Q. At what places?—A. I think I got one at Seyler's. I believe I got one at Eddinger's or Bill Schwens'; I am not certain.

Q. Did you vote the ticket you got at one of those places?—A. I voted part of each.

Q. Are Syler, Eddinger, and Schwens all Democrats?—A. They are as far as I know.

Q. Are you living in Brady Township now?—A. No, sir.

Q. Are you married?—A. Yes, sir.

Q. Where did you and your wife reside on November 5, 1878?—A. Brady Township.

Q. Had you and your wife resided there for some time before the election of November 5, 1878, and if so, how long?—A. I have resided there for twenty-five years. I was not married at the time of that election.

Q. Where do you reside now?—A. I reside in Jefferson County.

Q. With whom did you reside and where for the whole two months immediately preceding the 5th of November, 1878?—A. With my mother and in Brady Township.

Q. Did you vote at the Presidential election held November, 1876?—A. Yes, sir.

Q. Did you, in 1876, pay a State or county tax in legal time to vote at the Presidential election of 1876?—A. I did to the best of my knowledge.

Q. Have you paid any State or county tax since then to Jamison, the collector, or anybody else?—A. Not as I recollect.

Cross-examined :

Q. Who did you pay the last tax to?—A. A. M. Draucker.

Q. Where?—A. At Shindley's blacksmith shop.

Q. Did you get a receipt for it?—A. Yes, sir.

Q. Have you it with you?—A. No, sir.

Q. How do you fix the time when it was paid?—A. I don't fix the time exactly.

Q. Can you tell when, about, in 1876, Draucker got his duplicates?—A. No, sir.

Q. Do you know whether he got them before the election?—A. No, sir.

Q. What time of year was it when you paid the tax, if you can tell?—A. Why, it was in the summer he met me with the buggy.

Q. Was it as early as June or July?—A. I do not know.

Q. May it have been as late as November?—A. No, sir.

Q. How do you fix the time?—A. I left for the Centennial in October, and came back the day before or of the election, and it was paid before that time.

Q. Have you paid any tax since then?—A. Not as I know of.

Q. Do you know whether or not your tax was paid to the county treasurer, along with the taxes of your property, when he was around on his tour through the county collecting taxes for 1877 or 1878?—A. I think not.

Q. Can you say positively whether it was or not?—A. I can't answer any better than I did.

And further saith not.

W. D. YOAS.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

GEORGE SHUGART affirmed.

Question. Where do you reside, and what is your age?—Answer. Troutville, Brady Township; age, thirty-five years.

Q. Did you vote in Brady Township at the general election held November 5, 1878?—A. Yes, sir.

Q. Did or did you not at said election vote for Andrew G. Curtin for Congress?—A. Yes, sir.

Q. Did you vote at the Presidential election of November, 1876?—A. Yes, sir.

Q. Did you pay a State or county tax in 1876; and, if so, about how long before the Presidential election of 1876?—A. I would not be positive I voted at the election.

Q. Did you pay, in 1876, a State or county tax in legal time to give you a vote at the Presidential election of 1876?

(Objected to as leading, improper in form, and suggestive, the witness having stated he did not know.)

A. I was under the impression that I did, or they would not let me vote.

Q. Have you paid any State or county tax since you paid such tax as stated?—A. No, sir; I paid no tax since then.

Q. Do you remember where the collector was when you paid him the tax in 1876?—A. If I did pay it I paid it at Luthersburg.

Q. Who was the collector?—A. A. M. Draucker.

Q. Was it in summer weather when you paid it to him?—A. I could not say.

Q. Have you paid any State or county tax since the Presidential election of November, 1876, that you recollect of?—A. Not to my knowledge.

Cross-examined :

Q. Did you pay a State and county tax in 1875?—A. Yes, sir.

Q. You think that you paid Draucker in 1876 a tax?—A. That is what I thought still.

Q. Was not Draucker still collecting taxes of 1876 after the Presidential election, and on in the spring of 1877?—A. By what I heard the other day he is collecting yet.

Q. Have you anything by which you can positively fix the time in 1876 when you paid Draucker a tax?—A. Not here, unless I could do that by his duplicate.

Q. Don't you know that a State and county tax paid in 1875 gave you the right to vote at the Presidential election in 1876 without your having paid any tax in 1876 before the Presidential election?—A. Yes, sir.

Q. What makes you think, then, that you paid tax in 1876, in legal time to vote at the Presidential election, and what do you call legal time?—A. At the Presidential election I knew I was a legal voter. I had reference to the last fall election, when I said they would not let me vote if I was not a legal voter—at the governor's election.

Q. Are you not of the belief now that you had paid a State and county tax some time within two years before last fall's election for governor?—A. I could not say.

Q. Did you not know before you went to the election house that to entitle you to a vote you must have paid a State or county tax within two years before the election?—A. I felt under the impression at that time that I had—I did not know.

Q. Had you any purpose to vote illegally at that election?—A. No, sir.

Q. Where did you get your ticket for that election?—A. At Luthersburg, at Harvey Eddinger's.

Q. How long before you voted?—A. Perhaps an hour or so.

Q. How many tickets did you have about you in that hour?—A. The one kind; I could not remember how many.

Q. How long before you voted did you open your ticket and examine it?—A. We went there and took our own tickets; there was four or five of us. I selected my tickets as usual. I took out my ticket and examined it about an hour before I voted.

Q. How many parts of your ticket was there?—A. The State, judiciary, and county. I think that is all.

Q. Did you read your ticket, and was it cut when you got it, or did you cut it?—A. I cut the ticket and made it out myself.

Q. Did you cut it out of the sheet on which it was printed?—A. I think they was cut in strips, and I cut them through different parts.

Q. Did you read the ticket before or after you cut it apart, and how much of it did you read?—A. I looked over the tickets all after I had them cut.

Q. Was there not some mixed tickets at Luthersburg?—A. Not to my knowledge.

Q. You think, then, you voted the full Democratic ticket?—A. I voted the full Democratic ticket.

And further saith not.

GEORGE SHUGART.

Attest :

[SEAL.]

W. N. PROTHERO, *Notary Public.*

DAVID McKINNY affirmed.

Question. Where do you reside and what is your age?—Answer. In Brady Township, Clearfield County, Pennsylvania; age, 62 years.

Q. Did you vote at the general election in Brady Township, held November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote at said election for Andrew G. Curtin for Congress?—A. I did vote for Andrew G. Curtin.

Q. Did you pay a State or county tax in 1876; and if so, when?—A. I did, some time in July, 1876.

Q. Have you paid any other State or county tax since July, 1876?—A. No, sir.

Cross-examined:

Q. Are you positive that you voted for Curtin?—A. Certainly I am.

Q. Why have you not paid State or county tax for either 1877 or 1878?—A. Well, times are pretty hard, and it's hard to get money.

Q. Did you fix the date of your last payment of State and county tax from the receipt you got?—A. No; I did not know the exact date; it was some time in July.

Q. To whom was it paid?—A. Draucker.

Q. For what year did you pay Draucker the tax, July, 1876?—A. For 1875 and 1876.

Q. How much tax, if you remember, did you pay him at that time?—A. Well, I can't just say how much. I suppose in the neighborhood of ten or twelve dollars.

Q. Do you own real estate and personal property?—A. I do.

Q. What arrangements have you with the collectors that they do not collect your State and county tax?—A. I have no arrangements at all whatever.

Q. To whom did you pay tax last prior to the time you say you paid Draucker?—A. I don't just recollect who was collector before Draucker.

Q. Did you ever pay to the treasurer as he went around collecting?—A. Yes, sir; I could not tell the time; have the receipts at home.

Q. Do you remember what treasurer you last paid to?—A. The one before McGaughey.

And further saith not.

DAVID McKINNY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

And now, March 5, 1879, counsel for contestant agrees that Samuel Troy, a witness, be called, and his testimony be taken, and to have the same effect as if notice had been given as required by act of Congress.

D. L. KREBS,
Of Counsel.

THOS. H. MURRAY,
Of Counsel.

SAMUEL TROY affirmed.

Question. Where do you reside and what is your age?—Answer. In Brady Township, Clearfield County, Pennsylvania; age, thirty-seven years.

Q. Did you vote at the general election held in said Brady Township on November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote at said election for Andrew G. Curtin for Congress?—A. I did.

Q. Then you voted at said election for Andrew G. Curtin for Congress?—A. Yes, sir.

Q. Did you pay a State or county tax in the year 1876?—A. Yes, sir; I did.

Q. Was or was it not in the summer of 1876?—A. It was; I suppose July is as near as I could tell.

Q. Had you paid any other State or county tax between July, 1876, and November 6, 1878?—A. I did not.

Cross-examined:

Q. Who did you pay the tax to in July, 1876?—A. To Draucker.

Q. Where?—A. At Luthersburg.

Q. For what year was the tax assessed?—A. I don't know.

Q. How do you know it was in July, 1876?—A. I know that's when I paid him anyway.

Q. Do you own property—real and personal?—A. Yes, sir.

Q. Had you any arrangement with the collector about your taxes?—A. No, sir.

Q. How do you know what ticket you voted?—A. I seen the ticket, of course, I voted.

Q. What reason have you for thinking you voted the Democratic ticket?—A. There ain't much reason about that; I never voted anything else.

Q. How long before you voted did you read or make up your ticket?—A. That would be pretty hard to answer correctly; not very long.

Q. Did you read the whole ticket through carefully?—A. I did.

Q. Can you swear positively that Curtin's name was on the ticket you voted?—A. I can positively.

And further saith not.

SAMUEL TROY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

D. B. SHIELDS affirmed.

Question. Where do you reside, and what is your age?—Answer. I reside in Brady Township, Clearfield County, Pennsylvania. My age is thirty-two.

Q. Did you vote at the general election held in said Brady Township on November 5, 1878?—A. I did.

Q. Did or did you not vote at said election for Andrew G. Curtin for Congress?—A. Yes, sir; I voted for Andrew G. Curtin.

Q. Did you pay a State or county tax in 1876?—A. Yes, sir.

Q. About what time in 1876 did you pay such tax?—A. The last days of August, 1876; nearly the last of the month.

Q. Have you paid any other State or county tax since August, 1876?—A. Yes, sir.

Q. When?—A. Paid tax in 1877.

Q. What kind of tax did you pay in 1877?—A. State and county tax.

Q. To whom did you pay it?—A. John Jamison.

Q. When did you pay Jamison your State and county taxes for 1877?—A. About the 1st of September, 1877, as near as I can recollect.

Q. Have you a receipt?—A. No, sir; not for 1877.

Q. Have you paid your State and county taxes for 1878, and if so, when?—A. I have not paid them.

Q. Where was you born?—A. In the State of Maine.

Q. Are you married?—A. Yes, sir.

Q. How long have you been in this State?—A. Six years.

Q. Did you and your wife reside in Brady Township for the two months immediately preceding the election of November 5, 1878?—A. We did, sir.

Q. Had you paid any State or county tax within two years preceding the election of November 5, 1878, except what you paid Jamison in 1877?—A. Yes, sir.

Q. What other State or county tax did you pay within those two years, and to whom did you pay it?—A. I paid it to Mr. Em. Shaw, of West Clearfield.

Q. When did you pay Em. Shaw State or county taxes?—A. Somewhere near the last part of August, 1876.

Q. Is the tax you paid Shaw in August, 1876, the last State or county tax you have paid except what you say you paid Jamison in 1877?—A. Yes, sir; that's the last tax I paid.

Q. Was not Jamison collecting other taxes not State or county?—A. Yes, sir, he was; but not of me.

Q. Have you real estate in Brady Township?—A. No, sir.

Q. Might not the tax you paid Jamison in 1877 have been school, or road, or poor tax?—A. No, sir; I think not.

Q. How much tax did you pay Jamison in 1877?—A. Half a dollar.

Q. About what time in 1877 did you pay Jamison the half a dollar?—A. About the 1st of September, as near as I can recollect, in 1877.

Cross-examined :

Q. Did you live in the State for one year immediately preceding the 5th of November, 1878?—A. Yes, sir.

And further saith not.

D. B. SHIELDS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

12 noon adjourned till 1 o'clock p. m.

1.15 p. m., same day, examination resumed.

J. C. SCHOCH affirmed.

Question. Where do you reside and what is your age?—Answer. I reside in Troutville, Brady Township, Clearfield County, Pennsylvania. I was twenty-four last June.

Q. Did you vote at the general election in Brady Township on November 5 1878?—A. Yes, sir, I did.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Are you married; and if so, when was you married?—A. I am not married.

Q. Where and for whom was you working in either October or November, 1878?—A. I was working in Henderson Township, Jefferson County, in both October and November, 1878. I was working for Kuntz and Ginter.

Q. What were you working at?—A. I was working on the mill, jointing shingles.

Q. Where in Jefferson County, when you was working at the mill, did you get your meals and lodging?—A. I got my meals and lodging while working there through the week at the boarding house at the mill in Jefferson County.

Q. Did you vote at the Presidential election in Brady Township at November, 1876?—A. I voted at the Presidential election in 1876; what month it was I cannot say.

Q. Did you pay a State or county tax during the year 1876?—A. I paid a State and county tax in 1876.

Q. Have you a receipt?—A. No, sir.

Q. To whom did you pay such tax in 1876?—A. Art. Draucker, constable at that time.

Q. How long before the Presidential election of 1876 did you pay Draucker the tax?—A. I paid Draucker that tax on election day.

Q. How much did you pay Draucker?—A. I do not recollect; it was some 20 cents.

Q. Did you vote, at the Presidential election of 1876, on the taxes you paid Draucker in 1876?—A. I voted that day, and paid them taxes that day.

Q. Did you vote that day after you paid the taxes to Draucker?—A. I voted that day, but whether it was before I paid my taxes or after, I cannot say.

Q. Did you take a receipt from Draucker?—A. Yes, sir; I have lost the receipt.

Q. Did you vote at the township election in Brady in February, 1876?—A. I did.

Q. Did you not pay Draucker the taxes on the day of the township election of 1876?—A. Not to the best of my knowledge.

Q. Was it in the winter or in the summer that you paid Draucker those taxes in 1876?—A. I would not know whether you would call it summer then or not; it was pretty warm.

Q. As near as you can tell, in what month in 1876 did you pay Draucker those taxes?—A. I paid Draucker those taxes on election day, whenever that was—the Presidential election.

Q. What month, as near as you can tell?—A. I guess it was in December, to the best of my knowledge.

Q. Was there snow on the ground?—A. No, sir.

Q. Did you pay any State or county taxes at any time before you paid Draucker in 1876?—A. I do not remember whether I did or not.

Q. Did you pay any State or county taxes during the year 1875?—A. I do not remember.

Q. State when, as near as you can, giving month and year, in which you paid Draucker that tax?—A. As near as I can tell, it was in the month of December, 1876.

Q. About what time in November, 1876?—A. I can't mind any better than on election day.

Q. Have you paid any State or county tax since you say you paid Draucker in 1876?—A. Yes, sir; I did.

Q. To whom did you pay a State or county tax since you say you paid Draucker in 1876?—A. David McGaughey.

Q. When?—A. To the best of my knowledge it was last June.

Q. During what months in 1878 were you working in Jefferson County?—A. July, August, September, October, November, and part of December.

Q. While you were working in Jefferson County, did you not board and lodge in Jefferson County?—A. I did.

Q. When, as near as you can tell, did you leave Jefferson County, and come to reside in Clearfield County?—A. I don't know what date, but it was the Sunday before Christmas in 1878.

Cross-examined:

Q. Are your parents living?—A. My father is.

Q. Where does he reside?—A. Brady Township, Clearfield County, Pennsylvania.

Q. Did you go to Jefferson County to live there and make that your residence, or only to work there?—A. I went there to work.

Q. Did you make your home and reside with your father in Brady Township?—A. No, sir; I made my home in Brady Township, but did not reside with my father.

Q. Did you have your home in Brady Township, Clearfield County, Pennsylvania, during the months of July, August, September, October, November, 1878?—A. Yes, sir.

Q. Did you vote at any other election poll or district than Brady Township, Clearfield County, Pennsylvania, on the 5th of November, 1878?—A. No, sir.

Q. Did you consider that your legal residence and home in July, August, September, October and November, 1878, was in Brady Township, Clearfield County, Pennsylvania?

(Objected to as leading and asking the witness to decide a question of law.)

A. Yes, sir.

Re-examined:

Q. During the said months were you not in Jefferson County, working and boarding during more than four-fifths of the time?—A. During the week I worked, and went home on Sunday, with exception of one Sunday.

Q. How much a week did you pay for your boarding while working in Jefferson County?—A. Did not pay anything; was paid so much a day and boarded.

Q. Where did you board on Sundays when you came back into Clearfield County?—A. I boarded with my brother.

Q. How much did you pay your brother for boarding with him on Sundays?—A. Did not have any bargain what I was to pay him.

Q. Did you pay him anything?—A. I give him a little money once in awhile; bought him some things.

And further saith not.

J. C. SCHOCH.

Attest.

[SEAL.]

W. N. PROTHERO,
Notary Public.

ISAAC OGDEN sworn.

Question. Where do you reside and what is your age?—Answer. Troutville, Brady Township, Clearfield County, Pennsylvania; age, thirty-five years.

Q. Did you vote at the election district of Brady Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. State whether you paid your State and county taxes for 1876.—A. As near as I can tell, I paid them some time in June, 1876.

Q. When did you pay your State and county taxes for 1877 and 1878?—A. In December, 1878.

Q. Did you or did you not pay any State or county tax from the time, as you say, about June, 1876, until the time you paid in December, 1878?—A. I thought I had, but it seems I had a place rented and they

was to pay all cash tax and I was to work out all the road tax, mine and theirs.

Q. Did they pay the tax?—A. They fetched receipts and give me; I have those receipts at home.

Q. Do you know when those receipts were dated?—A. I think they were August, 1877.

Q. When you paid your State and county taxes for 1876 did you pay all the State and county taxes that were then against you?—A. Yes, sir, I did.

Q. When you paid your taxes in 1876 did that include the State and county taxes for 1876?—A. So far as I know it did; it was all the tax that come against me.

Q. When you paid your taxes in December, 1878, did you not pay all the State and county taxes which came against you since what you paid in June, 1876?—A. Yes, sir; I did.

Q. Then these receipts which were given you by the parties who you rented the property from were for other kinds of taxes than State and county, were they not?

(Objected to, the question being improper in form and leading, and should be, what taxes were those receipts given in payment of?)

Question withdrawn.

Q. What kind of taxes did those receipts which you got from the parties from whom you rented call for?—A. I can't tell you; I could not read them.

Q. Can you say, according to the best of your recollection, whether they were State or county taxes, or some other kind of taxes?—A. To the best of my recollection they would be State and county.

Q. On what property did you pay taxes to Jamison in December, 1878?—A. On old Jacob Kuntze's lot, I believe.

Q. Whose name was this property that you rented assessed in?—A. Christiana Ogden.

Q. Was it owned by Christiana Ogden?—A. Yes, sir.

Q. Your arrangement with her was, as I understand it, that you were to work out the road taxes and she was to pay the cash taxes on that property?—A. Yes, sir; hers and mine.

Q. What property had you?—A. I had one cow and household property, is all I had.

Q. Did she pay any State or county tax except what was assessed in her own name?—A. I cannot tell.

Q. Did you pay any State or county taxes from the summer of 1876 until December, 1878?—A. No; there was none come against me.

Q. For what years were the taxes that you paid in December, 1878?—A. For 1877 and 1878.

Q. For what year was the tax you paid in 1876?—A. 1876.

Q. When you paid the 1876 tax did you owe any other State or county tax?—A. No, sir.

Q. Have you any other property?—A. Nothing but three sheep, that's all.

Q. When you paid in 1876 did you not pay whatever tax was assessed upon that property?—A. Yes, sir; I did.

Q. When you paid in December, 1878, for the years 1877 and 1878, did you not pay whatever tax was assessed upon that property for those two years, 1877 and 1878?—A. Yes, sir, I did, it seems.

Q. What other property did you pay taxes on when you paid in December, 1878?—A. That's all the property I have of my own.

Q. What did I understand you to say about the Kuntz property; did

you also pay tax on it?—A. No; I paid no tax for it; I just lived there. When I said I paid tax there, I only lived there.

Q. Did you or did you not, in December, 1878, pay the taxes which Christiana Ogden was to pay?—A. It seems that I did.

Q. So far as you know, had she paid any State or county tax for you except upon the property assessed in her own name and which you had rented from her?—A. I can't tell you as she had.

Q. According to the best of your knowledge, had she or had she not?—A. According to my knowledge she had, provided they had not brought them in; they fetch up hadn't; they had no tax against me.

Q. Do you know whether she had paid tax on any of your property or paid any of your individual taxes?—A. I can't tell you.

Q. Are you a married man?—A. Yes, sir.

Q. About how long did you and your family reside in Brady Township prior to the election of November, 1878?—A. About nine years.

Cross-examined:

Q. You were out your road-tax and Mrs. Ogden's road-tax, and she was to pay her cash taxes and your cash taxes?—A. Yes, sir.

Q. She gave you receipts for payment of taxes in 1877?—A. Yes, sir.

Q. Was your vote challenged?—A. No, sir.

Re-examined:

Q. Do you know what kind of taxes Mrs. Cristena Ogden paid?—A. No, I could not say. I could not read them.

Q. Do you know whether she paid any of your State or county taxes?—A. I do not know.

Q. Where are those receipts?—A. They are at home.

And further saith not.

his
ISAAC + OGDEN.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WM. K. IRVIN affirmed.

Question. Where do you reside and what is your age?—Answer. I reside in Luthersburg, Clearfield County, Pennsylvania; am 34 years of age; Luthersburg is in Brady Township.

Q. Did you vote at the general election in Brady Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Did you pay your State and county taxes in 1876 in legal time to vote at the Presidential election of 1876?—A. Yes, sir.

Q. Have you paid any State or county taxes since then?—A. That is a question I could not hardly answer.

Q. Have you paid J. Jamison, collector, your State or county taxes for either of the years 1877 or 1878?—A. No, sir.

Q. To the best of your recollection, have you paid any State or county taxes since you paid those in legal time to vote in November, 1876?—A. Yes. I paid taxes since. I suppose it was State or county. I paid the collector; he ought to give me credit. I gave him the money; he said he would put it on the books.

Q. To whom have you paid any State and county taxes since what you say you have paid in 1876?—A. To Draucker.

Q. When did you pay Draucker?—A. I cannot tell you the exact time. I paid him some. The last I paid him, I think, was the latter part of September, 1878.

Q. What kind of taxes did you pay Draucker in September, 1878?—A. I answered that question once. I told you I paid him taxes—State or county.

Q. How much did you pay Draucker in September, 1878?—A. I cannot tell positive to that; to the best of my knowledge it was \$20.

Q. Was the \$20 you paid Draucker in September, 1878, for State and county taxes?—A. It was just as I answered before.

Q. Was the \$20 for State and county taxes?—A. As a matter of course, it was for State and county taxes.

Q. Have you paid any other State or county taxes within two years preceding the election of November 5, 1878, except the taxes you say you paid Draucker?—A. No, sir.

Cross-examined:

Q. Were you born in Clearfield County, Pennsylvania?—A. Yes, sir.

Q. For how many years, continuously, up to the 5th of November, 1878, did you live in Brady Township, Clearfield County, Pennsylvania?—A. Lived there all my life.

And further saith not.

W. K. IRVIN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

C. H. FARMER sworn.

Question. Where do you reside and what is your age?—Answer. I reside beyond Luthersburg, Brady Township, Clearfield County, Pennsylvania; age, 38 years.

Q. Did you vote in the election district of Brady Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Andrew G. Curtin.

Q. Did you vote at the Presidential election of November, 1876?—A. No, sir.

Q. When in 1876 did you pay a State or county tax?—A. I don't know that I paid a State and county tax in 1876.

Q. When did you last pay a State or county tax?—A. I don't know.

Q. Have you paid any State or county tax since 1875 or before that?—A. Yes, I have. Don't know that I have since; I have before.

Q. To whom did you last pay a State or county tax, and where and when?—A. I don't know the name of the person. I know when I paid it. I paid it in Centerville, Elk County, Pennsylvania, in 1875, as near as I can tell.

Cross-examined:

Q. How long have you lived in Brady Township, Clearfield County, Pennsylvania?—A. About ten months.

Q. How long have you been in the county?—A. Two years.

Q. Have you not paid a State and county tax since you have been in the county of Clearfield?—A. No.

Q. Has any one paid tax, State or county, for you since you have been in the county?—A. Not that I am sure of.

Q. Were you informed by any one that a tax—State or county—had been paid for you?—A. Yes.

Q. Who by?—A. Charles Deering.

Q. Was you informed at what time this tax was paid?—A. It was charged to me about two years ago.

Q. Was it taken out of your wages or money due you?—A. I understood the tax was charged to me, but whether—I don't remember it in my account when I settled.

Q. Where was Deering, and was you working for him or was he collector?—A. He was foreman, at Winterburn, this county, for Chas. Blanchard.

Q. Were you working for Charles Blanchard, and at what?—A. Different—building a mill and working in the woods.

Q. When was this settlement between you and Charles Blanchard, or the man who was acting for him?—A. February or March, 1877.

Q. Did you live in Brady Township for two months immediately preceding the 5th of November, 1878?—A. Yes, sir.

Q. Do you know in what township the taxes that Deering claimed to have paid were assessed?—A. Huston.

Q. Did you read your ticket?—A. Yes, sir.

Re-examined:

Q. Do you swear that Charles Deering ever paid any State or county tax for you?—A. No.

Q. Did you ever tell Charles Deering to pay such taxes for you?—A. No.

Q. Did Deering ever give you any receipt for such taxes?—A. Not that I remember of.

Q. Do you swear that Deering, or any one else, ever charged such tax against you?—A. I understood that we was assessed at the boarding-house, and Mr. Deering was to pay our tax.

Q. Did you ever authorize or direct Mr. Deering to pay those taxes?—A. It was understood between Mr. Deering and us that he was to pay our taxes in that way.

Q. Do you swear that there was such an understanding between Deering and you?—A. I don't know whether it was directly between Deering and me; he asked us all together.

Q. Were you working under Deering during the summer and fall of 1876?—A. I worked under Deering part of 1876; from the first of the year till some time in April.

Q. When was the assessment made that you testify to?—A. 'Twas in the spring of 1876, I think.

Q. Did Deering say to you, or the crew, that your taxes had been paid, or would be paid, during the spring or summer of 1876?—A. I don't know that he said to me, but that was the understanding.

Q. Was it not the purpose to be assessed and have your taxes paid, so that you could vote at the general election of 1876, being the Presidential election?—A. No.

Q. What was the purpose of being assessed in the spring of 1876, then?—A. I don't know, only that the assessor came there to assess us.

Q. At what time in 1876 was the arrangement made with Deering to pay the taxes?—A. It was February or March we were assessed; it was at that time he asked us about paying the taxes. The assessor and him made the arrangement.

Q. Did Deering inform you or the crew, in the spring of 1876, that he had arranged or paid them?—A. I don't know that he paid them then.

Q. If the taxes were paid, when did you do the work for Deering out of which the money was taken to pay the taxes?—A. Eighteen hundred

and seventy-five and eighteen hundred and seventy-six; that is, up to about April, 1876.

Q. If the taxes were paid by Deering, when in 1876 were they to have been paid?—A. I don't know that.

Q. After April, 1876, did you do any work for Deering?—A. I worked for Blanchard after that, but Deering was not there.

Q. When did you after April, 1876; did you again go to work for Blanchard?—A. I had not quit work.

Q. Did you settle with Deering or Blanchard in the spring or summer of 1876?—A. No.

Q. Did your settlement in 1877 (that is, February or March of that year) cover your transactions and business and accounts with Deering or Blanchard for the spring of 1876?—A. Eighteen hundred and seventy-seven was our final settlement. This settlement included the settlement for work of 1876.

Q. Who settled with you in 1877?—A. J. Dorr.

Q. When did Deering quit as foreman for Blanchard?—A. Along the 1st of April, 1876.

Q. When did you last see Mr. Deering?—A. Within a week or two of April 1, 1876.

Q. When did Deering tell you that your taxes had been paid?—A. I don't know that he told me that.

Q. Where did Deering go when he left this county in 1876; that is, April, 1876?—A. I don't know.

Q. Have you seen or heard of Deering being in Clearfield County, Pennsylvania, since about April 1, 1876?—A. I am not sure of that; I have not seen him.

Q. Have you any knowledge as to when these taxes were paid, if ever paid?—A. No, sir.

Q. Have you any knowledge that they were ever paid by Deering or any one else?—A. No.

Q. Had you any arrangement to pay them with any one else but Deering?—A. No.

Q. Do you know of Deering having been in that township (Huston) since about the first of April, 1876?—A. I don't.

Q. If Deering ever did pay those taxes, is it not likely that he paid them before he left there?—A. I don't know that.

Q. How long did you work there during the year 1877?—A. Until February or March.

And further saith not.

C. H. FARMER.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN THOMAS sworn.

Question. Have you ever resided in Bloom Township, Clearfield County, Pennsylvania, for the last ten years or more, continuously?—Answer. Yes, sir.

Q. How long have you been acquainted with Jacob Gearheart?—A. Something like five or six years.

Q. Where does he and his family now reside?—A. I believe in or near Clearfield Borough.

Q. Did he vote in the election district of Bloom Township at the general election of November 5, 1878?—A. Yes, sir.

Q. Do you know what ticket he voted, and did you, as judge of that

election, see his ticket as he voted?—A. I was judge of that election. I saw his ticket as he voted. I mean I was inspector of said election. It was the Democratic ticket out and out.

Q. Was Jacob Gearhart at the time of that election a resident of Bloom Township election district, where he voted?—A. Well, he had moved away. Everything was away but a little straw and a little bit of hay. On the day of the election he came back from Clearfield and voted. He swore that him and his wife went to visit to his brother's. I didn't want to give him a vote; the other officers allowed he had a right to his vote.

Q. Was the other inspector and judge Democrats or Republicans?—A. Democrats.

Q. How long before the election had Jacob Gearheart and his wife moved from the township?—A. He left on Monday, the day before the election.

Q. What did they take with them?—A. Cows and beds; his—everything about the house.

Q. Do you know who hauled them away?—A. Mr. George Bloom.

Q. Did Jacob Gearheart own any property in Bloom Township?—A. No.

Q. Whose house did he live in in Bloom Township up till the Monday before the election?—A. In my house, about a mile from where I live.

Q. When did he first tell you he was going to move away?—A. About two months before the election.

Q. When did he then say he would move away?—A. In a week or ten days.

Q. When did he afterwards tell you he would move away?—A. He did not tell me at all.

Q. When did you next know of his moving away?—A. Well, he tried to get away and not pay his rent, and I watched him, and made him pay his rent up till that time; that is, the Monday, the 4th, before the election. He gave me the key of the house the day he left, the Monday before the election.

Q. Had he any rights whatever in that house after that day?—A. No, sir.

Q. Did he claim any rights in that house after that day?—A. No, sir.

Q. When you got the key of the house, what did you do?—A. I stuck it in my pocket and took it home.

Q. Did he tell you whether he had locked the house?—A. No, sir, he did not.

Q. Who had charge of the house after that date?—A. Myself.

Q. What is the reputation of Jacob Gearheart for truth and veracity, good or bad?—A. There is no truth in him.

Q. Is that the name that he has borne in the community since you have known him?—A. Yes, sir.

Q. What kind of a house does he and his wife keep, in reference to virtue and chastity?—A. As bad as they could—a house of ill-fame.

Q. What is your age, and how long have you lived in Bloom Township?—A. Sixty, 18th of June next; lived in Bloom Township eighteen or twenty years; in the county all my life.

Cross-examined:

Q. Did the election officers open and examine the ticket Gearheart handed in?—A. I reckon.

Q. Did they do so at the time when he voted?—A. No, sir.

Q. Did you read it?—A. No, sir, I didn't read it.

Q. Don't you know that all of Gearheart's goods were in Bloom Township on the day of the election?—A. No, sir; they was not.

Q. Don't you know that George Bloom did not unload his goods, but hauled them back into the township on the day of the election?—A. No, sir.

Q. How do you know they kept a house of ill-fame?—A. That is an easy matter to know.

Q. Was you there to see?—A. No; I was not.

Q. Was there any other objection to Gearheart's vote except the one you spoke of?—A. No, sir.

Re-examined:

Q. Was it not common report in the neighborhood that his house was a house of ill-fame?—A. Yes, sir.

And further saith not.

his
JOHN + THOMAS.
mark.

[SEAL.] Attest: W. N. PROTHERO, *Notary Public*.

(Witness says he can write his name, but can only write it in German, and does not like to write it in that way.)

March 5, 1879, at 7 p. m., adjourned till 8 p. m. March 6, 1879.

March 6, 1879, 8.15 a. m., examination resumed.

JOHN ZUMSTEIN affirmed:

Question. Where did you last pay a State or county tax?—Answer. In 1877; I think it was in August; I've lost the receipt.

Q. To whom did you pay this tax?—A. Art. Draucker, collector, at Troutville, in the presence of Jacob Kuntz, senior.

Q. How much was tax; was it?—A. Can't recollect; between three or four dollars.

Q. What kind of tax was it?—A. County, State, poor, and school tax all together.

Q. Do you own any real estate in the township?—A. Yes, sir.

Q. How many acres of land do you own?—A. Twenty.

Q. Any buildings on it?—A. Yes, a house and barn.

Q. Were the three or four dollars you paid Draucker payment of all your State, county, poor and school tax for that year?—A. Yes, sir.

Q. Had you paid any other State and county tax within two years preceding the general election of November, 1878?—A. That is the only tax I paid in that time.

Q. Can you swear that that tax was paid one month or more before the election of November 5, 1878?—A. Yes, sir.

Q. What is your age, and where do you reside?—A. Twenty-six years; Brady Township, Clearfield, Pennsylvania.

Q. Did you vote in the election district of Brady Township, Clearfield County, at the general election of November 5, 1878; and, if so, for whom did you vote for Congress?—A. Yes, sir; I voted there, and for Andrew G. Curtin.

Cross-examined:

Q. Were you born in Brady Township, and did you live there continuously till November 5, 1878?—A. Yes, sir.

And further saith not.

JOHN ZUMSTEIN.

[SEAL.] Attest: W. N. PROTHERO, *Notary Public*.

C. W. KORB sworn.

Question. Did you vote at the Presidential election of November, 1876?—Answer. Yes, sir; I did.

Q. Did you pay your State and county tax in legal time to vote at that election?—A. I can't say whether I did or not; the last State and county taxes I remember of paying before that election was for the year 1874; can't say when it was paid.

Q. Was it paid over thirty days before that election?—A. I can't say.

Q. When did you next pay any State and county tax?—A. In 1877, March 19, I paid my taxes for 1876—State and county tax for 1876—to A. M. Draucker.

Q. When did you get your receipt?—A. I got it on the same day. And further saith not.

CHRISTIAN W. KORB.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN FRANTZ produced and sworn.

Question. What is your age and where do you reside?—Answer. Forty-four years of age; Brady Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Andrew G. Curtin.

Q. Did you pay your State and county taxes in legal time to vote at the Presidential election of November, 1876?—A. Yes, sir.

Q. How long before that Presidential election had you paid your State and county taxes, and was it more than one month before?—A. I think it was over a month before; can't say.

Q. When did you next pay any State or county taxes?—A. In the year 1877.

Q. To whom and about what time?—A. To John Jamison, October 26, 1877; \$1.21, State and county tax for 1877.

Q. Were you born in Pennsylvania, and did you reside in Brady Township, Clearfield County, Pennsylvania, with your wife, for one year before the election of November 5, 1878?—A. I was born in the State, and have lived nearly ten years in the same place in Brady Township, Clearfield County, Pennsylvania, ever since.

No cross-examination.

And further saith not.

JOHN J. FRANTZ.

Attest:

[SEAL]

W. N. PROTHERO,
Notary Public.

HENRY A. HARTZFELD sworn.

Question. Are you a son of Christian Hartzfeld, of Brady Township, and are you the only son named Henry, and do you live in Brady Township?—A. Yes, sir, to all the above questions.

Q. What is your age?—A. Twenty-five years past.

Q. Did you see or have any conversation with W. C. Arnold at any time for six months or more preceding the election of November 5, 1878?

(Contestant, by counsel, objects to examination of this witness, for the reason that no notice has been given that he would be called for examination, and reserves the right at the proper time to ask that his testimony be excluded from the record.)

A. No, sir; I did not.

Q. Are you the youngest Henry Hartzfeld in Brady Township?—A. Yes, sir.

Q. Is there any other Henry Hartzfeld in Brady Township who is not a Christian Hartzfeld?—A. Yes, sir.

Q. Are you not called by many persons Henry Hartzfeld as well as Henry A. Hartzfeld?—A. Not very often, where I am acquainted, that I am called Henry Hartzfeld. Where I'm not well acquainted they sometimes call me Henry Hartzfeld, or Henry Hartsfeld, junior.

Q. Do they sometimes call you that in the other portions of Brady Township than near where you live?—A. Yes, sir.

No cross-examination.

And further saith not.

H. A. HARTZFELD.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

It is hereby agreed that the witness George A. Marshall, and all other witnesses to be examined before W. N. Prothero, at Du Bois, Clearfield County, Pennsylvania, as to whom any kind of notice, that is, any kind of written notice, has been served upon contestant or his counsel prior to this 6th day of March, 1879, shall be examined and their testimony taken with the same effect as if full and regular notice thereof had been served in accordance with the acts of Congress.

D. L. KREBS, *of Counsel.*

THOS. H. MURRAY, *Counsel.*

GEORGE ADAM-MORSHEL sworn.

Question. Where do you reside and what is your age?—Answer. I live in Brady Township, Clearfield County, Pennsylvania; 45 years old.

Q. Did you vote in the election district of Brady Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. That I can't mind any more.

Q. Did you or did you not vote for Andrew G. Curtin?—A. I voted for Andrew G. Curtin.

Q. When did you last pay a State or county tax?—A. I could not tell you just the day; I always paid my tax when the time come.

Q. Did you pay a State or county tax during the year 1876?—A. Yes, sir.

Q. At what time, where, and to whom?—A. In the fall; at Luthersburg; don't remember the name of the collector; don't know what month.

Q. Was that tax paid in legal time, that is, one month before the Presidential election of November, 1876?—A. Yes, sir; I always did pay my tax before the election.

Q. Did you vote at the Presidential election of 1876, in Brady Township?—A. Yes, sir.

Q. Did you vote upon the payment of tax which you have referred to?—A. Yes, sir.

Q. When did you last pay any State or county tax, as near as you can tell ?—A. I paid it in September, 1878.

Q. To whom ?—A. Paid it to John Jamison.

Q. Did you pay any other State or county tax from the time you paid in 1876 until you paid Jamison in September, 1878 ?—A. I paid other tax ; I pay my tax every year.

Q. Who did you pay your State and county tax to in 1877 ?—A. I could not tell you that. I did not pay it myself ; I had a man that paid it for me.

Q. Were you born in this country ?—A. No, sir ; I was born in Germany.

Q. Were you ever naturalized ?—A. Of course I was ; twenty years ago.

Q. Where were you living a year ago ?—A. Was living in Ohio.

Q. When did you go to Ohio to live ?—A. I went to Ohio the 5th of January, 1877.

Q. When did you return to Pennsylvania ?—A. Came here the 5th of April, 1878.

Q. How did you come to return to Pennsylvania ?—A. Because I had my home here, my land and property.

Q. When you went away on 5th of January, 1877, did you take your family with you ?—A. Yes, sir ; I did.

Q. Did they remain with you till the 5th of April, 1878 ?—A. Yes, sir.

Q. What were you doing during that time, and where were you located ?—A. Worked on a farm ; had a farm rented ; Huron County, Ohio.

Q. When did you rent that farm ?—A. My brother-in-law rented it for me, and in October, 1877.

Q. Where did you live from January, 1877, till October, 1877, and how ?—A. I lived at my brother-in-law's ; I staid with him.

Q. What did you work at ?—A. I did not work at anything.

Q. How did you come to go to Ohio in January, 1877 ?—A. I rented my farm out, and he rented one out there for me.

Q. Who did you rent your farm here to ?—A. To David Shields.

Q. For how long a time did you rent it to him ?—A. Three years.

Q. The time is not up yet, is it ?—A. No, sir.

Q. Has you or David Shields now possession of that property ; which one ?—A. Shields is living on it yet.

Q. Did you own any other real estate in Pennsylvania when you went to Ohio in January, 1877 ?—A. No ; I did not.

Q. Do you own any other real estate in Pennsylvania now beside that ?—A. No ; I don't.

Q. For how long a time was that property in Ohio rented, which was, you say, rented by your brother-in-law in January, 1877 ?—A. For one year.

Q. How did you come to leave in the middle of the year, or before the time was up for which that property was rented ?—A. Because I could not get possession until spring.

Q. Did you leave Ohio sooner than you intended to when you went there ?—A. No, sir ; I did not.

Q. Where have you lived since your return to Pennsylvania ?—A. On Reuben Moore's property ; Brady Township.

Q. When did you make the bargain for that property of Moore's ?—A. It was made February, 1878, by Geo. Leilich.

Q. When did you tell Geo. Leilich to make that bargain ?—A. It was in November or December of 1877.

Q. How did you come to make that arrangement in November or December of 1877, when a place had been rented for you in October, 1877; for one year?—A. So I had a house to move in when I came back.

Q. When that place was rented in October, 1877, for one year, how did you expect to stay then in Ohio?—A. I did not expect to stay any longer than my year was up.

Q. Did you stay till your year was up?—A. Of course I did.

Q. How could you have staid a year when you returned the next April?—A. It was in October, 1876, I meant. It was rented in fall, and I did not get out till the January following.

Q. Did you vote while in Ohio?—A. No, sir; I did not.

Q. Where were you naturalized?—A. Was naturalized in Clearfield Town.

Cross-examined:

Q. Did you live in Brady Township, Clearfield County, Pennsylvania, and own property and own real estate there for some years before you went to Ohio?—A. Yes, sir; a good many years before I went.

Q. Are you sure you got back here on or about the 5th of April, 1878?—A. Yes, sir.

Q. Did you reside in Brady Township, Clearfield County, Pennsylvania, continuously from the 5th of April, 1878 to the day of the November election in 1878?—A. Yes, sir.

Re-examined:

Q. Did you pay any tax in Ohio?—A. Yes, I did; State and county. And further saith not.

G. A. MORSCHEL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

ADAM YOAS sworn.

Question. Do you reside in Brady Township, Clearfield County, Pennsylvania, and did you vote in that election district at the general election of November, 1878?—Answer. Yes, sir.

Q. Did you or did you not vote for Andrew G. Curtin for Congress at said election?—A. Yes, sir, I did vote for Andrew G. Curtin for Congress.

Q. When, where, and to whom did you last pay a State or county tax?—A. To McGaughey, treasurer, at Luthersburgh, June 14, 1878.

Q. Where was you born?—A. Here in Brady Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. Forty-five years old.

Q. Where did you live a year ago?—A. In Ohio.

Q. Was your family with you there?—A. Yes.

Q. When did you go to Ohio, and when did you return?—A. I returned last April, 1878, I can't tell exactly, I was a little over three years out there.

Q. Did your family go with you when you went, and return with you when you returned?—A. Yes.

Q. What did you go west for?—A. To make a living.

Q. Did you intend to make your home there when you started?—A. No.

Q. What were you doing while there?—A. Farming.

Q. Had you a farm rented?—A. Yes.

Q. For how long a time?—A. For one year.

Q. Did you have any real estate here?—A. Yes, sir.

Q. What did you do with it when you were gone?—A. I had it rented.

Q. For how long a time had you it rented?—A. For one year.

Q. Did you take possession of it on your return?—A. Yes, sir.

Q. Did you intend to return to Pennsylvania when you went to Ohio?—A. Yes.

Q. What time did you intend to return when you went to Ohio?—A. I had no particular time set.

Q. Did you know whether you would return at all with your family if you lived?—A. That's pretty hard to tell.

Cross-examined :

Q. What day in April, 1878, did you return to Brady Township, Clearfield County, Pennsylvania?—A. On 23d of April, 1878.

Q. Did you live in Clearfield County, Brady Township, Pennsylvania, from the 23d of April, 1878, to the 5th of November, 1878, the election day?—A. Yes, sir; I did live there all the time.

And further saith not.

ADAM YOAS.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

March 6, 1879, at 12.15 p. m., adjourned until 1 p. m. same day.

1.15 p. m. examination resumed same day.

ALEX. SHAY sworn.

Question. Were you at Luthersburg on November 5, 1878?—Answer. Yes, sir.

Q. Were you in Dr. Spackman's office when James L. Hebble came in, and during the time he was in did you and Andrew Pentz, senior, have a talk with him?—A. Yes, sir.

Q. What was said about his ticket?—A. 'Twas me that called them in. I asked him if he had a hand to vote; he said he had not, but make me out one; I asked him what he wanted made; he said, just the same kind of a hand as I always voted, you know, except, says he, I am going to vote for Andrew G. Curtin; I said, "All right, James, I will not dictate in that respect; I know the feeling that prevails between you soldiers towards Andrew Curtin." That's about all the conversation we had.

Q. Did Andrew Pentz, senior, say to him, Hebble, or to any one in his presence, anything about the payment of Alleman Ellinger's tax, or about there being too many to pay taxes for, or anything of that kind?—A. No, sir; he did not.

Q. Did Alliman Ellinger vote at that election?—A. No, sir.

Q. Did a man named Wm. F. Shannon vote at that election in Brady Township?—A. Yes, sir.

Q. Did you see him vote?—A. I did not; he told me he did; he told me that it was his legal place of voting.

Q. Where did you see him when he told you?—A. At Luthersburg, where the election was held in Brady Township; "Mr. Shannon, I hope you have not come from Armstrong County here to vote"; he said he did, because it was his legal place of voting, he thought; "I did not want to lose my vote," he said.

Q. What, if anything, did he say about whom he voted for for Congress?—A. He said he thought this was a very important election, because this Greenback party, he thought, ought to be defeated; he asked

me how I was in regard politics this fall ; I told him I was solid Republican as I always was.

Q. What had he always been so long as you had known him in politics?—A. Always voted the Democratic out and out.

Q. How long had you known him?—A. I think it's about five years since he first taught school in our township.

Q. How long was it before the election of November, 1878, that he left the township?—A. Some time in the neighborhood of July 1, 1878.

Q. Had he been back in the township or resided in the township of Brady from that time till the election?—A. No, sir; not unless it was back on a visit, and I think he was not back at all.

Q. Where did he live during that time?—A. Am not positive whether in Armstrong County or away at school.

Q. Are you satisfied that he voted for Curtin from what you knew of his politics and from what he told you that day.—A. Yes, sir, I am satisfied of that, for I know he would not touch a Greenbacker.

Cross-examined :

Q. Was Dr. Spackman's office a place where the leading Republicans of Brady Township congregated on the November election day.—A. It was no more than any other place where they had Republican tickets.

Q. Do you swear that you did not hear any one on that day in Dr. Spackman's office say anything about payment of Alliman Ellinger's tax, or do you swear there was nothing said on that subject?—A. There was nothing said there on that subject at that time, to the best of my knowledge.

Q. Did you not there on that day have money that had been given you for the purpose of paying tax?—A. No, sir.

Q. Did you not say to any one that you had been given money for the purposes of election?—A. No, sir; I did not for election purpose.

Q. Did you say anything of that kind?—A. No, sir; to no living soul.

Q. Do you swear that W. F. Shannon voted for Curtin?—A. To the best of my knowledge he did, because he was such an opponent of the Greenback ticket.

Q. Did you pay a State and county tax within two years, and more than thirty days before the 5th of November, 1878?—A. Undoubtedly; I pay my taxes every year.

And further saith not.

A. SHAY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN JAMISON sworn.

Question. Are you the collector of Brady Township, and for what years and for what taxes?—Answer. I am, for 1877 and 1878; and for State and county.

Q. Do you recollect of Hugh Strayer paying you his State and county taxes within two years preceding the election of November 5, 1878, and also did D. Barefield pay his taxes within the same time and the same kind of taxes?—A. Barefield and Strayer's taxes are both paid.

Q. Were they paid more than one month preceding the election of November 5, 1878?—A. I can't state positively, but I think they were. McHughs paid Strayer's tax; and I think they were paid on time. Strayer's I know was paid on time, and I think Barefield's was paid before that.

Q. Do you know John C. Harwick of Du Bois, Sandy Township?—A. I do.

Q. When did he first pay you any State or county taxes, either in money or work?—A. Must be near two months since.

Q. Did he pay you any State or county taxes either in money or work, or in any other way, prior to the election of November 5, 1878?—A. He did not.

Q. Did W. K. Irvin pay you any State or county taxes prior to the election of November 5, 1878?—A. He did not.

Q. Did Isaac Ogden, or any one for him, pay you any State or county taxes prior to November 5, 1878?—A. No, sir; I had the two years' tax against him for 1877 and 1878, which his woman paid for him not longer ago than December, 1878.

Q. How was the property which Isaac Ogden rented from Christiana Ogden assessed?—A. In the name of Ogden, George, heirs.

Q. Did Christiana Ogden ever pay you any taxes for Isaac?—A. She did not for the last two years, because he was assessed in his own name individually for the last two years.

Q. Was he not assessed in that way for more than two years preceding the election of November 5, 1878?—A. He was assessed in 1876, when the 1877 tax was laid, and up until this time in that way.

Q. Did Christiana Ogden or any one else pay you any State or county taxes for him within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Have you any recollection of D. B. Shealds paying you any State or county tax within two years preceding the election of November 5, 1878?—A. I can't recollect of him paying me any; yet I would not say that he didn't.

Q. Have you any recollection of his paying you any during the year 1877?—A. I can't remember.

Q. Did you know W. F. Shannon?—A. Yes, sir; I did.

Q. How long was it before the election of November 5, 1878, that you know of his being in Brady Township the last time?—A. I think he went away along in April or May, 1878, at the close of his school.

Q. From that time till the election, where was he, so far as you know?—A. I understood him he was going to school in Dayton, Armstrong County, Pennsylvania.

Q. Did you know of his voting at the said election in Brady Township?—A. I don't, but he told me the day before that he was there to vote; don't know his politics, but he professed to be a Democrat.

Q. What, if anything, did David Snyder tell you last Monday as to whether or not he had paid any State or county taxes within two years preceding the election of November 5, 1878?—A. He said to me that he had not paid tax, and he said he would lose his vote, for he had not paid tax within two years. He said he would lose his vote.

Cross-examined:

Q. About how many names are there on each of your duplicates for 1877 and 1878?—A. They each must have had more than three hundred names on when I got them. I would not say positively. I think there was about 700 names on the 1878 duplicate.

And further saith not.

Attest:

[SEAL.]

JOHN JIMESON.

W. N. PROTHERO,
Notary Public.

WILLIAM CLARK sworn.

Question. Did you within two years preceding the election of November 5, 1878, pay a State or county tax which was paid at least one month before said election?—Answer. Yes, sir.

Q. When and where did you pay that?—A. In Penn Township, in the fall of 1871.

Q. To whom?—A. To Wall.

Q. What kind of tax was it?—A. County and State.

Q. Had you paid any other county or State tax before said election within two years?—A. Yes, sir; in Brady Township; my partner and I paid it. I paid it in spring of 1877—it may have been of 1876—to Arthur Draucker. I have lost my receipt for payment of Penn Township tax. I had one.

And further saith not.

WM. CLARK.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

Adjourned March 6, 1879, at 3 p. m., to meet at Clearfield, Pa., at 10 o'clock a. m., March 7, 1879, at the court-house in said borough.

Depositions of witness taken before W. N. Prothero, a notary public of the town of Du Bois, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the court-house in the borough of Clearfield, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, contestee, on the 7th day of March, A. D. 1879.

ALFRED STEVENS affirmed.

Question. Where do you reside?—A. Chest Township, Clearfield County, Pennsylvania.

Q. Were you a member of the election board of Chest Township at the general election of November 5, 1878?—A. Yes, sir; clerk for C. T. Moore, inspector.

Q. Who else composed the board?—A. John McGarvy, of Anthony, was judge, Democrat, I believe; Charles Moore, Democrat, inspector, and Jacob Schroll, Republican, inspector; clerks, Alfred Stevens, Democratic, and Samuel McLaughlin; I could not say whether is Democrat or Republican.

Q. Who administered the oaths to the board?—A. I think the minority inspector swore the judge, and then the judge rather got mixed in it, then I took the paper and administered the oaths to myself and the other clerk. Then there was some of the parties there that objected to that, and then the judge he took the form and administered the oath to me, but whether he did to the other clerk I would not be able to say.

Q. What was done with the ballot-box after the votes were counted? (Objected to for the reason that it is immaterial what was done with the ballot-box after the votes were counted because no recount has been ordered of the votes cast at the election of November 5, 1878, in Chest Township, Clearfield County, Pennsylvania; the evidence would therefore be immaterial and irrelevant.)

A. I could not say; I left, I believe, before the ballot-box was taken away.

Q. Where parties claimed the right to vote and whose votes were challenged or whose names were not upon the registry-list, were they required to make and sign any affidavit?—A. There was no affidavits

made out to my knowledge; it was the judge's business. I don't know whether the judge did so or not; he did not, to the best of my knowledge.

Q. Were any such affidavits put into the envelope to be given to the judge to return to Clearfield?—A. I could not say.

Q. Were the affidavits that were administered to the election officers reduced to writing, signed, and executed as required by law?—A. There was none of the forms sent in the bundle, that I could find. The board was sworn in by the oaths—the old ones that remained in the box.

Q. Were not these old affidavits merely read over to the parties swearing, and they sworn in that way, without any of them being signed?—A. They were not signed, because they were signed before.

Q. Did the judge or either of the inspectors or clerks sign any affidavit?—A. Not at that time, not to the best of my knowledge—I did not.

Q. Were parties in the election house with the board during the day and while the vote was being counted?—A. Yes, sir.

Q. Was or was not the house open and did not outsiders go in and out at their pleasure during the day and while the vote was being counted?—A. Yes, sir.

Q. About how many outsiders would be in at one time?—A. I could not say as to that; sometimes a good many and sometimes not so many.

Q. Were there as many as twenty-five or thirty at any one time?—A. I suppose there were.

Q. Were not outside parties in during all or nearly all the time?—A. Pretty much, I believe.

Q. Was the ballot-box at any time left unguarded?—A. Not to my knowledge.

Q. Were any additions or alterations made by the board in registry list of voters?—A. I could not say; there might have been one or two added; I am not positive.

Q. Was the registry examined as voters presented themselves in order to ascertain if they were on the registry?—A. Yes, sir.

Q. Were names tallied off the registry-list as the votes were received?—A. To the best of my knowledge it was done by the inspector.

Q. Were parties who claim the right to vote by reason of being naturalized citizens required to produce their papers?—A. I think there was none objected to on that account.

Q. Did any naturalized citizens vote at that election?—A. I could not say; there might have been one or two; I am not positive.

Q. Did any show their papers?—A. Not to my knowledge.

Q. Were the ballots numbered as received?—A. Yes, sir.

Cross-examined:

Q. Were you present when the board was organized?—A. Yes, sir.

Q. Was John McGarvy, of Anthony, elected as judge of election in Chest Township, Clearfield County, Pennsylvania, for 1878?—A. Yes, sir.

Q. Was he sworn on the 5th of November, 1878, by the minority inspector of election of said township?—A. I believe so; yes, sir.

Q. Was Jacob Schroll and C. T. Moore elected inspectors of elections in Chest Township, Clearfield County, Pennsylvania, for 1878?—A. Yes, sir.

Q. Was yourself and Samuel McLaughlin appointed clerks at the general election of November 5, 1878, in said township?—A. I was chosen by Moore; don't know as to McLaughlin.

Q. Were you sworn to perform your duty as said clerk by John McGarvy, judge of the election of said township?—A. Yes, sir; if he did not make any mistakes.

Q. Were the inspectors not also sworn by him?—A. I think so.

Q. Was not the other clerk, Samuel McLaughlin, also sworn by him?

—A. I could not say as to that.

Q. Was there any interference or meddling with the ballot-box by outsiders?—A. I think not.

Q. Was there any interference whatever by outsiders?—A. Not to my knowledge.

Q. Were there at the most more than one or two persons whose names were not upon the registry that voted, or were there any persons voted whose names were not upon the registry-list?—A. I think there was two young voters, but whether any others or not I could not say; I meant their first vote.

Q. Did these two persons vote on age?—A. I think so.

Q. Did they produce the proofs of their age required by law?—A. I could not say.

Q. Then you do not know whether they were sworn or not?—A. I think the one was, I could not say as to the other; I paid so little attention.

Q. As soon as the vote was counted, was a brief statement, showing the number of votes received by each candidate, made and signed by the election officers and posted upon the door of the election house for the information of the public?—A. I could not say.

Q. Do you say that it was not done?—A. I could not say as to that, whether it was or was not done.

Q. Was the vote as soon as counted publicly and fully declared from the election house by a constable or any member of the board?—A. Why, I think not by a constable or any member of the board, to the best of my knowledge.

Q. Were the citizens present made acquainted with the result of the election?—A. Yes, sir; I think they were, for they were there and could see it.

Q. Were the votes cast at the election of November 5, 1878, correctly counted, and was the number of votes received by each candidate ascertained by the election officers?—A. I think they was.

Q. Was a return showing the number of votes cast for each candidate at said election inclosed in an envelope and sealed, together with one list of voters and a tally paper, and was such envelope given to the judge of election?—A. There was, to the best of my knowledge.

And further saith not.

ALFRED STEVENS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

12 o'clock m., adjourned till 1 o'clock p. m. same day.

1.30 o'clock p. m., same day, examination resumed.

JACOB SCHROLL affirmed.

Question. Where do you reside?—Answer. In Chest Township, Clearfield County, Pennsylvania.

Q. Were you the minority inspector at the election of November 5, 1878, for Chest Township?—A. Yes, sir; I was.

Q. By whom were the members of the election board sworn?—A. The judge was sworn by the minority inspector, the rest of the board was sworn by the judge.

Q. Were any affidavits written out and signed by any of the election officers?—A. No, sir.

Q. Were or were not these oaths administered orally?—A. We had an old oath form—the old oath form in the ballot box we used.

Q. Were not the old oaths used at previous election used and read from in administering these oaths?—A. Yes, sir.

Q. What became of those old oaths?—A. They was left in the ballot box.

Q. Were they signed by any of this election board?—A. I think not.

Q. Were any affidavits filled out and signed by any persons whose votes were challenged, or whose names were not upon the registry?—A. No, sir.

Q. Did any persons vote at that election whose names were not on the registry list or were challenged?—A. There was a couple of men voted that were not on the registry list.

Q. Did any persons vote by virtue of being naturalized citizens, and, if so, were they required to produce their papers?—A. There was one voted that had voted there for five years, and he was registered and had showed his naturalization papers at previous elections.

Q. Were or were not persons permitted to go in and out of the room in which the election was held at their pleasure during the entire time on the election day, and while the vote was being counted?—A. Yes, sir.

Q. About how many persons were in at any one time?—A. Must have been twenty-five or thirty, or perhaps more.

Q. Was or was not the room filled with outsiders most of the time?—A. There was outsiders in most all the time.

Cross-examined:

Q. Was you a member of the election board who held the election in Chest Township, Clearfield County, Pennsylvania, on November 5, 1878?—A. I was.

Q. What position did you occupy on the board?—A. Minority inspector.

Q. Did you as minority inspector swear John McGarvy, of Anthony, judge (elected) of the election of November 5, 1878?—A. I did.

Q. You say, do you, that yourself, C. T. Moore, inspectors, and Alfred Stevens and Samuel McLaughlin, clerks of said election of said township of Chest, were sworn to perform their respective duties by John McGarvy, of Anthony, judge of said election in Chest Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Why were not the partly-printed and partly-written affidavits of the officers of the election of November 5, 1878, in Chest Township, Clearfield County, Pennsylvania, not made and returned as required by law?—A. I don't know as there was any there; would not swear that there was or was not.

Q. Were not the clerks unable to find such affidavits among the papers forwarded by the commissioners?—A. Yes, sir.

Q. Was it not because no blank forms were furnished that such affidavits were not filled out and returned with the other returns of said election, as required by the several acts of the assembly?—A. I suppose so.

Q. Were any persons whose names were not upon the registry of voters of said township of Chest at the general election of November 5, 1878, permitted to vote?—A. Yes, sir.

Q. Did not these persons vote upon age and after satisfying the board that they were legal voters?—A. One of them did.

Q. When the polls were closed, were the votes which were cast at said election for the several candidates correctly counted?—A. To the best of my knowledge.

Q. After the vote was counted, was a brief statement made, showing the votes received by each candidate, and posted up on the door of the election-house for the information of the public?—A. There was none posted up on the election-house door.

Q. Was the result of the election made known to the citizens present when the count was completed?—A. Yes, sir.

Q. Was a return, showing the number of votes received by each candidate, together with one list of voters and a tally-sheet, inclosed in an envelope and given to the judge of said election?—A. Yes, sir.

Q. Was an envelope, containing a return of the number of votes received by each candidate, together with a list of voters and a tally-sheet, inclosed in an envelope and given to you, as minority inspector of said election?—A. Yes, sir.

Q. Was the election board in any way interfered with, or was the ballot-box in any way disturbed or meddled with by any persons not members of the election board at the said election?—A. No, sir.

Q. Were the votes, when received from the window, numbered and placed in the ballot-box, and did they remain there till they were taken out to be counted?—A. Yes, sir.

Q. Had the naturalized citizen who voted at said election in Chest Township voted there for more than five years preceding said election, and had he shown his certificate of citizenship at any of said elections?—A. Don't know whether it is over, but it is five years any way.

Q. Were there, so far as you know, any frauds committed at said election in said township of Chest?—A. I don't know of any.

Q. Were you duly elected as an inspector of election in Chest Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Then I understand that you were the Republican inspector at that election?—A. Yes, sir.

And further saith not.

JACOB SCHROLL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JAMES MOTT affirmed.

Question. Where do you reside?—Answer. Bell Township, Clearfield County, Pennsylvania.

Q. Did you vote in said township at the election of November 5, 1878; and if so, for whom did you vote for Congress?—A. Yes, sir. I voted for A. G. Curtin.

Q. How old are you?—A. Between 25 and 26 years of age.

Q. Did you pay a State or county tax within two years immediately preceding said election of November 5, 1878?—A. Could not say whether it was inside of two years, but it was in 1876.

Q. Was the tax you paid in 1876 the one that you voted upon at the Presidential election of that year?—Yes, sir.

Q. To whom did you pay that tax?—A. To the county treasurer.

Q. Where?—A. At Burnside.

Q. Did you pay it to the county treasurer when he was on his trip through the county collecting State and county taxes?—A. Yes, sir.

Q. Was it not paid then in the fore part of the year 1876, and before the unpaid State and county were placed in the hands of a constable for

collection?—A. I could not say whether it was the fore part or after part; don't know what time he was around.

Q. Have you a receipt for that tax?—A. No, sir; I lost it in moving.

Q. When did you move?—A. In the spring of 1877.

Q. Did you pay that tax as much as two months before the Presidential election of 1876?—A. I could not say, for I forget what month he was around.

Q. Did you go to the election, intending to vote, last fall?—A. No, sir.

Q. Why did you not intend to vote?—A. I thought they would not leave me vote on account of not being registered.

Q. Other than the tax you paid in 1876, did you pay any State or county tax within two years preceding said election?—A. No, sir.

Q. If you paid that tax in 1876 to the county treasurer, do you not know that it was more than two years preceding the election of November 5, 1878?—A. Yes, sir; it was.

Q. Then you did not pay any State or county tax within those two years?—A. No, sir; I didn't.

Cross-examined:

Q. Did you read your ticket?—A. Yes, sir.

Q. Was your vote challenged?—A. They wanted to know if I had paid taxes within two years. I told them I had; but it was a mistake in me.

And further saith not.

JAMES A. MOTT.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

DAVID MOTT affirmed.

Question. Where do you reside, and what is your age?—Answer. Bell Township, Clearfield County, Pennsylvania. Thirty years old to-day.

Q. Did you vote at the election in Bell Township at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir. I voted at said election for Andrew G. Curtin.

Q. Did you pay any State or county tax within two years preceding said election to any collector of such taxes?—A. James McGee paid it for me.

Q. For what year was that tax assessed?—A. For 1876.

Q. Have you a receipt for said tax, and will you read it?—A. Yes, sir.

“SEPT. 17, 1875.

“Rec'd of David Mott sixty-one cents, State and county tax for 1875.

(Signed)

“W. H. ROSS, *Col.*”

I am mistaken. That was the wrong receipt. The one I had reference to reads as follows:

“JULY the 6TH, 1877.

“Received of J. W. McGee three dollars and eighty-six cents for the use of David Mott, being his State and county and school tax for 1876.

“WM. H. ROSS, *Col.*”

Q. Where did you get this receipt?—A. From James McGhee.

Q. Did you pay him the amount of those taxes?—A. Yes, sir.

Q. Did you request him to pay them for you?—A. Yes, sir.

Q. Do you know whether or not they are marked paid on the collector's duplicate?—A. I don't know.

Q. Have you any other evidence of their payment than that McGhee gave you this receipt?—A. I have not.

Q. Can you then swear positively that those taxes were paid?—A. Yes, sir; I can.

Q. Had you paid any other State or county taxes within two years preceding said election other than those McGhee paid?—A. No, sir.

Q. Have you yourself, or has any one at your request, paid a State or county tax within two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. I have not, if I understand it right.

Q. Have you, or has any person at your request, paid a State or county tax within two years preceding said election of November 5, 1878?—A. Yes, sir.

Q. Was this tax assessed at least two months before that election?—A. Yes sir.

Q. Was it paid at least one month before that election?—A. Yes, sir.

Q. In what township was it assessed and paid?—A. Bell Township, Clearfield County, Pennsylvania.

Q. Was William H. Ross collector of State and county taxes for the year 1876 for Bell Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Did he ever say anything to you about these taxes after Mr. McGhee paid them for you?—A. No, sir.

Q. Was your vote challenged at the election of November 5, 1878?—A. No, sir; it was not.

And further saith not.

Attest.

[SEAL.]

D. H. MOTT.

W. N. PROTHERO,
Notary Public.

WILLIAM ODELL sworn.

Question. Where do you reside, and what is your age?—Answer. In Bell Township, Clearfield County, Pennsylvania; 60 years of age.

Q. Did you vote in Bell Township at the election of November 5, 1878; and for whom did you vote for Congress?—A. I voted there, and voted for Curtin for Congress.

Q. Did you yourself pay any State or county taxes within two years preceding the election of November 5, 1878, to any collector of such taxes?—A. I left the money at home with my wife for her to pay it.

Q. When was that?—A. About last June, as near as I can recollect.

Q. Do you know of your own knowledge whether or not she paid it?—A. Yes, sir; I do.

Q. Did you see her pay it?—A. No, I didn't; if I had seen her pay it I would have paid it myself.

Q. How much money did you leave with your wife?—A. I left \$2 at that time.

Q. To whom did you direct her to pay it?—A. To John G. Odell, my son.

Q. When did your wife pay the \$2, in money, to your son John?—A. It was June, 1878, as near as I can recollect.

Q. Are you sure that money was paid to him before the first of July, 1878?—A. I am not sure of it; I think it was before the 1st of July, 1878.

Q. Did you not state, in answer to a former question, that you had

left that money with your wife either in the months of May or June, 1878?—A. I state that, sir; but I cannot say whether it was May or June.

Q. As near as you can tell, how long was it after you had paid this money to your wife till she paid it to your son John?—A. It was not over a week, I think, anyhow.

Q. You stated that you paid this \$2 to your wife just before leaving home. Will you now state where you went, and how long you remained away, as near as you can tell?—A. Don't mind where I went. I was away working at different places. I was away a week.

Q. Had your wife paid this \$2 to your son before you got home?—A. Yes, sir.

Q. Are you not positive that you were away in the month of June some time?—A. Yes, sir; I was away in June.

Q. Then are you not also certain that your wife paid this money to your son in the month of June?—A. No, sir; I am not certain.

Q. Are you not certain it was paid in May or June?—A. I am certain it was paid in May or June.

Q. Was your son, John G. Odell, collector of State and county taxes for the year 1878 in Bell Township?—A. Yes, sir.

Q. What is the amount of your State and county taxes on his duplicate for that year?—A. I don't know what it was.

Q. Don't you know that it was more than \$2?—A. No, sir; I don't.

Q. Did you ever see his duplicate and the amount of taxes therein opposite your name?—A. No, sir; I never seen it till to day.

Q. When you saw it to-day, what was the amount of taxes against you for that year?—A. Two dollars and eighteen cents, as near as I can say.

Q. What other taxes was your son collecting?—A. He was collecting school-tax, too.

Q. Are you sure your wife did not pay this \$2 on the school-tax which your son had against you?—A. I was not sure at the time.

Q. Are you sure now?—A. I am sure now she paid it on the school-tax; that was not the intention.

Q. Then your State and county taxes were not paid for that year?—A. It appears so.

Q. Do not your State and county taxes remain unpaid on your son's duplicate now, and he not look to you for them now?—A. Yes, sir.

Q. Have you then paid any State or county taxes within two years preceding the election of November 5, 1878?—A. No, sir.

Cross examined:

Q. Has any one paid a State or county tax for you or at your request within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Was your vote challenged?—A. No, sir.

Q. Did you read the ticket you voted?—A. Yes, sir, I did. I always read my own ticket.

Q. Were you present at the election-house at noon on the day of the election of November 5, 1878?—A. I was there at 12 o'clock.

Q. What was the names of the inspectors on the election board?

(Counsel for contestee objects to this question and to all other questions that may be asked the witness to which his attention was not called in the examination in-chief.)

A. William Odell and D. W. Logan, and John Baker, judge.

Q. Did Logan remain all day?—A. No, sir.

Q. Who was appointed to fill his place, and why did he leave?—A. Wm. Mahaffy (Smyly), son of Robert, filled his place. Logan went home in case of sickness.

Q. Were any Republicans requested to fill his place, and did they refuse to do so?—A. Yes, sir.

Q. To whom was the ballot-box delivered?—A. To Henry Breath, justice of the peace.

Re-examined:

Q. Who was selected in Logan's place?—A. William Mahaffy.

Q. What is his politics?—A. Democrat.

Q. How was he selected?—A. He was taken up and then the judge swore him in.

Q. By whom was he selected?—A. That is more than I can tell you. I think it was H. L. Henderson that selected him, but I am not sure.

Q. Was he selected by a person outside of the election board?—A. That is a hard thing to answer.

Q. After Logan withdrew and Mahaffy was sworn in in his stead was or was not the judge and both of the inspectors Democrats?—A. Yes, sir.

Q. Was Logan the minority inspector?—A. Yes, sir.

Q. What time of day was it this change occurred?—A. I suppose it was two or three o'clock, as near as I could judge.

Q. Were you the Democratic inspector elected?—A. Yes, sir.

Q. When was the ballot-box taken to the office of Esquire Breath?—A. The next day after the election. I don't mind whether it was in the morning or afternoon that I took it up myself.

Q. Where was it from the time the votes were counted till the time you took it to Squire Breath's?—A. It was in my house shut up.

Q. Was the ballot-box sealed and secured by red tape when the ballots were counted?—A. Yes, sir.

Q. Was it taken home by you as majority inspector?—A. I was not minority inspector, but I had to take it home because Logan was not there.

Q. You was majority inspector?—A. Yes; I was majority inspector.

Q. When Logan withdrew from the board was any election held by the voters present for a successor?—A. No, sir.

Q. As I understand it Mahaffy was selected by some persons outside of the election board?—A. Yes, sir; of course. But the board had a selection, too; we could not get any one else to serve.

Q. Who administered the oath to the election-board in the morning when you were organized?—A. Logan, the minority inspector, administered the oath to the judge and the judge administered the oath to the rest of us.

Q. When persons claimed the right to vote whose names were not on the registry list, or who had been challenged for any cause, were they required to make and sign any affidavit?—A. Yes, sir.

Q. Were those affidavits returned with the election papers to the prothonotary's office?—A. I don't know, but learn since I came here to-day that they were not.

Q. Were persons who claimed the right to vote by reason of being naturalized required to produce their papers?—A. I don't think there was any of that kind there—there was some there but they have been voters for over five years.

Q. As persons voted were their ballots numbered and their names checked or marked in the registry-list?—A. Yes, sir.

Recross-examined :

Q. Was H. L. Henderson, who selected William Mahaffy for inspector, a Republican?—A. Yes; he was.

Q. Was the selection of William Mahaffy for inspector to fill the vacancy which occurred by the sudden withdrawal of D. W. Logan, minority inspector, approved by yourself and by the other members of the board, and by the Republicans present?—A. Yes, sir.

Q. It was not, was it, until after you failed to get a Republican to fill said vacancy that William Mahaffy was chosen?—A. No, sir.

Q. Were the votes which were cast at the election of November 5, 1878, correctly counted and were the number of votes cast for each candidate ascertained?—A. I think they was.

Q. Was a brief statement showing the votes received by each candidate made and posted up at the election house for the information of the public?—A. No, sir; it was not posted up, for somebody stole it before we could get it up.

Q. Was the result of the election made known to the citizens present?—A. It was made known to what was there.

Re-re-examined :

Q. Why did Logan have to go away on election day and have a successor appointed?—A. On account of the sickness of his wife.

And further saith not.

WM. ODELL.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

6.10 o'clock p. m. adjourned to 7 p. m. same day.

7.40 p. m. same day, examination resumed.

JOHN G. ODELL sworn.

Question. Where do you reside?—Answer. Bell Township, Clearfield County, Pennsylvania.

Q. Are you collector of State and county taxes for the year 1878, for Bell Township?—A. Yes, sir.

Q. When was the duplicate placed in your hands?—A. Duplicate received by me September 5, 1878.

Q. Were you ever collector of State and county taxes before September, 1878?—A. I was not.

Q. Have you your duplicate with you, and will you produce it?—A. Yes, sir.

Q. Examine your duplicate and see if the State and county taxes of William Odell for the year 1878 are paid; that is, marked paid.—A. They are not marked paid. My father paid \$2 of tax intended for to pay his State and county tax, and was under the impression at the time of the election, November 5, 1878, that his State and county taxes were paid to me, and through a mistake I applied it to the school tax instead of the State and county.

Q. Did your mother pay those \$2 to you in money?—A. Yes, she did, for the use of my father.

Q. Did you credit them as payment on his school tax?
(Objected to as immaterial.)

A. I credited on the school tax, of course, for 1877.

Q. What is the amount of your father's State and county tax on the duplicate?—A. My father's State and county tax on my duplicate for 1878 is \$2.18.

Q. Were any State and county taxes paid to you within one month preceding the election of November 5, 1878; and, if so, by whom?—A. Yes, sir; from Milton Sheasby and John F. Lee. I am mistaken; these taxes were paid before the 1st of October, 1878. Alexander Hartle-road paid me his State and county tax on November 5, 1878, and Henry Fairbanks paid his on same day; E. B. Baird paid his on same day; Christian Miller paid his same day; Hiram McClinsey paid his on same day; Frederick Rupart paid 44 cents on his tax same day; M. L. Snyder paid his October 16, 1878; Jesse Weaver paid his tax November 5, 1878; Andrew Walls paid his tax on November 5, 1878; and also John Webster paid his on November 5, 1878.

Q. Did you give receipts for these taxes paid on November 5, 1878, the day of election?—A. I am under the impression that I gave all receipts that paid me on that day.

Q. Were the receipts dated on that day?—A. Yes, sir; to the best of my recollection.

Q. Were any of them dated back to a time more than one month before the election?—A. No, sir; none.

Q. Were any of them issued with the dates blank?—A. Not that I know of; if so, I done it by mistake.

Q. Did you ever give McClinsey such a receipt?—A. No, sir; unless I did it by an oversight.

Q. Had you not on election day (November 5, 1878) some eleven or less tax receipts in your possession without dates or dated back one month before the election?—A. No, sir; I never dated a receipt back. I had quite a number with blank dates. I could not say how many.

Q. Did not H. L. Henderson see or did you not show to him such receipts?—A. No, sir; I never showed him any receipts. To the best of my knowledge he never saw them.

Q. What is your politics?—A. My politics are Democratic.

Cross-examined:

Q. Did your father ever say to you that when he gave the two dollars to your mother for you that he intended it as a payment on his State and county taxes for 1878, and that he was under the impression that you had a duplicate for the collection of the same at the time the money was paid?

(Objected to because it is hearsay.)

A. Yes, sir, and was angry at me for not crediting it on the State and county tax duplicate.

Q. Do you know whether or not your father has always paid his State and county taxes in past years?—A. He has always paid his State and county tax as far as I know, except on the duplicate in question.

Q. Were you not accustomed, and do you not yet carry receipts all written out, excepting the date, the names of the persons, and the amount of taxes paid, and without your signature thereto for convenience in giving receipts when the taxes are paid?—A. I have always did that since I carried the duplicate.

Q. Do you always when you give receipts date them and give them the date at which the taxes are paid?—A. Yes, sir, always.

Q. Then if any receipts were given by you for State and county taxes without dates were they given by mistake and without your knowledge?—A. They were.

Q. Were any receipts given by you intentionally that might deceive the election board as to the time when the taxes were paid?—A. There is one receipt that was intended to deceive the election board.

Q. Will you look at your duplicate and give the date when William McClinsey's State and county taxes are paid?—A. I will. It was paid on the 4th of October, 1878.

Q. When are Hugh McClinsey's State and county taxes marked paid?—A. Same date, October 4, 1878.

Re-examined:

Q. Do you swear that your father William Odell paid his State and county taxes for the year 1877 and 1878 and 1876?—A. 1877, I know nothing about more than the collector told me they were paid.

Q. What collector told you?—A. William H. Ross.

Q. Where is he now?—A. I cannot say.

Q. What did he go away for as currently reported?—A. The report in our neighborhood is that he ran away because he had collected nearly all the tax and failed to pay it over to the treasurer.

Q. What is the politics of William H. Ross?

(Objected to because it is immaterial and irrelevant.)

A. As near as I can tell for the last few years he has been a Democrat, a Modoc, a Junior Son, and, for all I know, a Greenbacker.

Q. Do you swear that Hugh McClinsey and William McClinsey paid you their State and county taxes on October 4, 1878?—A. I do not.

Q. When did they pay you?—A. They paid me some time after I had paid the tax for them. I can't say positively when it was they paid me tax.

Q. Did you not give them tax receipts on November 5, 1878, and were they not written on that day and dated October 4, 1878?—A. I gave them receipts on November 5, 1878, but had paid their taxes out of my own pocket previous to October 5 on account of my being unable because of circumstances in my family keeping me from calling on them for the tax according to a previous agreement with them.

Q. What day did you write those receipts?—A. On the same day there dated. I believe October 4, 1878.

Q. What day did you pay their taxes?—A. The same day their receipts are dated on.

Q. Who did you pay them to?—A. I paid them into the State and county funds on that day.

Q. Do you remember of about nine tax receipts that were in your duplicate on the morning of election drawn up and dated?—A. There was not nine receipts of that kind.

Q. Were there any number of them—I mean loose receipts?—A. I suppose there were them I mentioned before.

Q. Do you swear that neither on day of election nor at any other time within thirty days of that you did not draw receipts and put a date on them prior to the day you wrote the receipts or filled them out? In other words, did you not antedate a tax receipt or tax receipts?—A. I don't swear any such thing. I did antedate a tax receipt.

Q. Was there only one case in which you did that?—A. There was only one case, to the best of my knowledge.

Q. Can you answer positively?—A. I can't answer positively. My impression is there is only one.

Q. You have already sworn, I believe, that there was one case in which you date back a tax receipt with intent to deceive the election board, have you not?—A. Yes, sir.

Q. Whose receipt was that?—A. It was Jack Ramalay's.

Q. How is that marked on your duplicate as to when it was paid?—A. It is marked October 1, 1878.

Q. When was it paid, in point of fact?—A. I don't clearly recollect the exact time, but think it was paid about three days after the 5th of October.

Q. You are sure it was paid after October 5, 1878?—A. I am.

Q. Was not the entry in your duplicate of October 1, 1878, made with the same intent as that with which you put the date on the receipt?—A. Yes, sir; in that case.

Q. What was the politics of Jackson Remalia?—A. I know nothing about his politics at that time.

Q. What had been his politics before?—A. I believe he had been a Democrat, but not sure. I asked no questions about his politics.

Q. What have been his politics since, if you know?—A. I know nothing about his politics since nor how he voted at the fall election.

Q. Do you know whether he voted at the fall election?—A. I do not know.

Q. Does he reside in Bell Township?—A. I believe Remalia resides in Bell Township.

Q. Do you know of Remalia's paying any other State or county taxes within two years of November 5, 1878, except that referred to?

(Objected to, because it is hearsay.)

A. I don't know anything about any other tax.

Q. Were the \$2 paid by your father through your mother credited by you on State and county taxes, or on school taxes?—A. There was \$2 paid to me by my mother for the use of my father, intended, according to their words, to be applied to his State and county. I credited them on his school tax for 1877.

Q. When did you first learn from either your father or mother that they were intended to be applied to State or county taxes?—A. I can't say positively, but I believe it was pretty soon after I got the State and county duplicate.

Q. How long after that as nearly as you can recollect?—A. It might of been two weeks and it might of been two months.

Q. Do you swear that it was before the 5th of October, 1878?—A. I do not; but I am under the impression it was.

Q. Your father's school-tax for 1877 are paid by them \$2, are they not, at least to that amount, and so marked on your duplicate?—A. I credited my father with the \$2 on the school-tax of 1877.

Q. Are his State and county taxes paid, or any portion of them, or so marked on your duplicate?—A. His State and county taxes are not marked paid.

Q. When did your mother pay these \$2 taxes?—A. I am not positive as to the date. It was either June or July, I think.

Q. Did you get the money from your mother before you got the duplicate for the State and county taxes?—A. I got the money, as near as I can tell, in June or July. I think it was before I got the duplicate.

Q. Do you swear it was before you got the duplicate?—A. I am under the impression it was.

Q. What kind of taxes were you collecting before you got your duplicate for State and county taxes?—A. I was collecting school-taxes.

Q. Did you see William and Hugh McClinsey or either of them between October 4 and November 5, 1878?—A. Not to the best of my recollection.

Q. When did you pay over the school-tax, including the \$2 paid by your father through your mother?—A. I don't know whether I ever paid it in or not.

Q. What is the best of your recollection as to the time, or whether it

was paid at all or not?—A. To the best of my recollection if it was ever paid in it was paid after it was paid to me.

Q. When did you last pay over any school money?—A. As near as I can recollect it was week before last.

Q. Did that include all then in your hands?—A. No, sir.

Q. When before that had you paid over school money?—A. I don't see how I can answer that question conscientiously, because I can't remember dates.

Cross examined:

Q. When in your direct examination the question "Do you swear that Hugh McClinsey and William McClinsey paid you their State and county taxes on October 4, 1878" was asked you, to which you answered "I do not," did you request to make an explanation in addition to that answer?—A. I demanded an opportunity to explain how the taxes were paid.

(Witness did not ask to make any explanation after answering question until it was suggested to witness by counsel for contestant.—W. N. PROTHERO, *notary public*.)

Q. Did you not desire to make an explanation and had you an opportunity to be permitted to make the same?—A. I did desire to make an explanation and had no opportunity, for the reason that the committee was thrown into confusion just at that time. That is as near as I can tell it.

Q. Did you not desire to make that explanation before contestant's counsel made the suggestion that you should be permitted to do so?—A. I did.

Q. Did anything contestant's counsel said to you lead you to ask to be permitted to make such explanation, or did you ask to make it because you desired to do so of your own accord?—A. No, sir; I desired to do so of my own accord.

Q. Will you now make the explanation that you desired to make at that time in relation to the payment of Hugh McClinsey's and William McClinsey's taxes (State and county taxes)?—A. The explanation I wanted to make is this: At the time I received the State and county duplicate I canvassed the township, notified the tax payers of the taxes charged against them on the duplicate of 1878, and promised to call before the time expired for paying taxes to vote on at the November election of 1878, and circumstances not permitting me to fulfill that promise, I paid William McClinsey's and Hugh McClinsey's State and county taxes out of my own pocket on the 4th day of October, 1878, and carried them receipts until I saw them. At the same time the Messrs. McClinsey's was voting or going to vote against candidates that I was using my influence for, and I knew at the same time that they were going to vote against them candidates. I believe that is all the statement I have to make on that point.

Q. Did you keep the money which you received on your duplicate for State and county taxes separate from your own individual funds?—A. I did.

Q. Did you on the 4th day of October, 1878, take out of your individual funds the amount of Hugh McClinsey's State and county taxes for 1878, and also the amount of William McClinsey's State and county taxes for 1878, and put these amounts in the roll containing the moneys collected on duplicate of State and county taxes for 1878?—A. I did.

Q. Did you then mark Hugh McClinsey's State and county tax for 1878, and also William McClinsey's State and county tax for 1878,

paid on your duplicate for the collection of State and county taxes for 1878?—A. I did.

Q. Did you then write the receipts for the payment of the State and county taxes of William McClinsey and of Hugh McClinsey for the year 1878?—A. I did.

Q. Then I understand you to say, do I, that you took the amount of William McClinsey's State and county taxes for 1878, and also the amount of Hugh McClinsey's State and county taxes for 1878, out of your individual moneys and placed the same with the money received on your duplicate for the collection of State and county taxes for the year 1878, and also wrote the receipts which you gave on the day of the election to William McClinsey and Hugh McClinsey on the 4th of October, 1878?—A. I did.

Q. Did you on the 4th of October, 1878, become responsible to the commissioners of Clearfield County for the State and county taxes of Hugh McClinsey and William McClinsey for the year 1878, and were they so marked on your duplicate?—A. I considered myself responsible to the commissioners for the amount of their taxes.

Q. Did Hugh McClinsey and William McClinsey send you word before the 4th day of October, 1878, that they had the money to pay you their State and county taxes which you had for collection?—A. They did not, but told me personally they would have their taxes ready when I called again.

Q. Did you agree to call for their money before the time expired for the payment of State and county taxes so that they could vote on the same at the election of November 5, 1878?—A. I did so agree.

Q. Was it in pursuance of this agreement and because of your being unable to call for their money that you paid the same out of your individual money, and marked the same paid in your duplicate?—A. It was.

Q. Was it in pursuance of that agreement and by reason of your having had their taxes (State and county) on the 4th day of October, 1878, that you wrote and gave to them, William McClinsey and Hugh McClinsey, receipts for their State and county taxes for 1878?—A. It was.

Q. Were you collector of State and county taxes for Bell Township, Clearfield County, Pennsylvania, for the year 1878?—A. Yes, sir.

Q. You were told, were you not, by the collector that your father's State and county taxes for 1877 were paid?—A. I was.

March 7, 1879, adjourned 11.45 p. m. to 8.30 a. m. March 8, 1879.

9.26 a. m., March 8, 1879, examination resumed.

Re-examined:

Q. How far do Hugh and William McClinsey live from you?—A. Ten miles, as near as I can tell.

Q. Did Hugh or William McClinsey authorize you to pay their taxes?—A. They never said anything to me about paying their taxes.

Q. Have they yet paid you?—A. Yes, sir.

Q. When, as near as you can tell?—A. On the 5th day of November, 1878, they paid me the money that I had paid for them.

Recross-examined:

Q. Did William McClinsey and Hugh McClinsey approve of the payment of the State and county taxes for 1878 which you made for them?—A. They did, and sent me word that they would pay me the first time they saw me.

Re-examined :

Q. Are not Hugh and William McClinsey Democrats?—A. I knew them to be Democrats at one time. I couldn't to them at present. And further saith not.

JOHN G. ODELL.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

9.45 a. m., March 8, 1879, adjourned until 1.30 p. m. same day.

1.30 p. m., same day, examination resumed.

MELVILLE JOHNSON sworn.

Question. Where do you reside?—Answer. In Decatur Township, Clearfield County, Pennsylvania.

Q. Did you vote at the general election in Decatur Township on November 5, 1878?—A. Yes, sir.

Q. Did or did you not vote at said election for Andrew G. Curtin for Congress?—A. Yes, sir; I voted for Andrew G. Curtin for Congress.

Q. When did you last pay a State or county tax?—A. That's more than I can tell you; something like over three years ago.

Q. Will or will you not be twenty-three years old in June, 1879?—A. I tell you I can't tell you that.

Q. Has or has not your mother told you that you were past twenty-two years of age when you voted on November 5, 1878?

(Objected to, for the reason that the age of the witness cannot be established by the declarations of an unsworn party; his mother, residing in the county of Clearfield, being a competent witness.)

A. No, sir, she has not; she told me when I came home from the election; she asked me what I voted on. I told her I voted on age. She asked me how old, and I said between twenty-one and twenty-two. She said she guessed I was mistaken, for she thought I was about twenty-two then.

Q. To the best of your knowledge, were you not past twenty-two years of age on November 5, 1878?—A. I judge I was.

Q. About how many years ago were you married?—A. Four years the 8th of last June.

Q. In what township and county did you pay the State and county tax over three years ago?—A. In Centre County, Rush Township, Pennsylvania.

Q. Have you paid any State or county tax since that you paid over three years ago?—A. No, sir; I have not.

Cross-examined :

Q. When did you last pay a State and county tax?—A. Something over three years ago.

Q. Who to?—A. I don't recollect who the tax-collector was.

Q. Do you know in what year you were born?—A. No, sir; I do not.

Q. What information have you as to your age, except this statement of the talk with your mother on last November election-day?—A. I judge I was over twenty-two.

Q. Have your father and mother any record of your birth?—A. No, sir.

Q. Have you made any inquiry of any person, besides your mother, as to your age?—A. No, sir; I have not.

Q. Have you talked to her about it since November election?—A. Yes, sir.

Q. Has she in any way fixed the year in which you were born?—A. No, sir.

Q. Were you under the belief on election-day that you were right in voting on age?—A. No, sir; I did not.

Q. Did you think when you voted you were between twenty-one and twenty-two?—A. I had it in my mind that I was a little over twenty-two.

Q. When—that is, how long before you voted did you read your ticket?—A. Did not read it at all; can't read.

Q. Who did you get it from?—A. Steve Test.

Q. Where was he when you got the ticket?—A. In the school-house where election was held.

Q. Whose name was on the ticket you voted for the office of governor?—A. I don't know nothing about that.

Q. Whose name was on for judge?—A. I don't know that.

Q. Whose name was on for legislature?—A. I don't know that.

Q. How many parts were there of the ballot or ticket you put in or voted?—A. I don't mind how many.

Q. Was the ticket folded or unfolded when it was given you?—A. Folded.

Q. How do you know Curtin's name was on the ticket when you cannot remember any other name on the ticket?—A. Steve Test told me.

Q. Then you do not testify from your own knowledge of what is on the ticket, but only from what Test told you?—A. That's all.

Q. Did you after Test gave you that ticket ask any one to read it for you?—A. No, sir.

Q. Do you swear now from your own knowledge how you voted?—A. Yes, sir.

Q. I thought you swore a few moments ago that you only testified from what you were told?—A. I did.

Q. How does it come that you do not know for whom you voted for governor?—A. Because they did not tell me.

Q. Have you any knowledge of how you voted, except what some one told you?—A. No, sir.

Q. What was said to you at the time you got the ticket?—A. Not anything at all that I know of.

Q. Did not the man who gave you the ticket say anything to you at that time?—A. No, sir; he did not.

Q. Did he or not tell you who was on for governor and who for the other officers named?—A. No, sir; he did not.

Q. Did he or not say anything about who was on the ticket?—A. No, sir; he said it was a Democratic ticket was all he said.

Q. Is that all you know about the ticket?—A. Yes, sir.

And further saith not.

his
MELVILLE + JOHNSON.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

ABRAHAM HUMMEL sworn.

Question. Where do you reside, and what is your age?—Answer. I live in Wallaceton Borough, Clearfield County, Pennsylvania; am twenty-seven years old last February.

Q. Are you married?—A. Yes, sir.

Q. Did you pay any State or county taxes in 1876 on or before October 1, 1876?

(Objected to as immaterial, for the reason that, under the law as it now stands in Pennsylvania, the question is, has the witness paid a State or county tax within two years and more than one month before November 5, 1878?)

A. No, sir.

Q. When did you last pay a State or county tax?—A. In 1877; in the fall some time.

Q. To whom did you pay such tax?—A. To Levi Goss.

Q. Where does Levi Goss live?—A. In Decatur Township, Clearfield County, Pennsylvania.

Q. Where did you pay Goss?—A. I paid him on Weizer and Bender's lumber yard in Decatur Township.

Q. Did you take a receipt?—A. Yes, sir.

Q. Where is the receipt?—A. I lost it, I think; I could not find it when I started.

Q. What kind of tax did you pay Levi Goss in the fall of 1877?—A. State and county.

Q. Was not Levi Goss collecting other taxes than State and county?—A. Not that I know of.

Q. How much money did you pay him?—A. Fifty cents.

Q. When was you married?—A. I was married about seven years ago; was twenty years old when I was married.

Q. Where did you vote at the general election of November 5, 1878?—A. In Wallaceton Borough, Clearfield County, Pennsylvania.

Q. For whom did you vote at said election of November 5, 1878, for Congress?—A. For Curtin.

Q. Except the taxes you say you paid Goss in 1877, had you paid any other State or county taxes within the two years preceding November 5, 1878?—A. No, sir.

Q. Did you and your wife reside in the borough of Wallaceton for at least two months immediately preceding November 5, 1878?—A. Yes, sir.

Q. How did you come to pay taxes to Goss, the collector of Decatur Township?—A. I lived in Decatur Township in 1877.

Cross-examined:

Q. Was you born in the State and lived in it one whole year preceding the 5th of November, 1878?—A. Yes sir; I was born in the State and never lived out of the State.

And further saith not.

ABRAHAM HUMMEL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

3.15 p. m., March 8, 1879, adjourned until 9 o'clock a. m. March 10, 1879.

Nine o'clock a. m., March 10, 1879, examination resumed.

WILLIAM MAHAFFY sworn.

Question. Where do you reside?—Answer. I live now in Bell Township.

Q. Where did you vote at the general election of November 5, 1878,

and for whom did you vote at said election for Congress?—A. I voted in New Washington Borough, Clearfield County, Pennsylvania, for Curtin; I suppose I voted the straightout Democratic ticket.

Q. Don't you know that you voted for Curtin for Congress?—A. Yes.

Q. Where was your family on the day of election of November 5, 1878?—A. In Bell Township, Clearfield County, Pennsylvania.

Q. When did they go there?—A. I think I moved there the 17th of September, 1878.

Q. How much of a family have you got?—A. I have a wife and four children living.

Q. How long did you and your family reside in Bell Township after moving there on September 17, 1878?—A. I still live there.

Q. Are you keeping house there still?—A. You might call it keeping house or keeping shanty.

Q. What business are you engaged in there?—A. Cutting round logs and making square timber.

Q. For whom?—A. James McGhee and Frank Mahaffy.

Q. How long do you expect to remain there?—A. That's pretty hard to answer. I expect to return home as soon as we have one flood to get off down the river.

Q. Before moving to Bell Township did you live in your own or a rented house?—A. My property was sold by the sheriff last fall as my property.

Q. What time in the fall was it sold?—A. Some time before I moved; I don't just remember.

Q. Did you take all your household goods with you?—A. No, sir; I did not; my furniture is all at home.

Q. Is that property there yet?—A. Yes, sir.

Q. Who owns the property now?—A. Jas. R. McMurray.

Q. Has any one got it rented from him so far as you know?—A. No; I hold possession of the house, and have the privilege of selling the property and satisfying him.

Q. Has he given you the right to redeem it?

(Objected to, because it is immaterial and irrelevant.)

A. He has given me this privilege of staying there; and, if I have a chance, to make the money out of the property by selling it and paying him.

Q. Under your arrangement with McMurray, the owner of the property, have you the right to move back into it at any time?—A. Why certainly; me or some of my family. We are back there every week or so since I left.

Q. When do you expect to move back there?—A. My family might go back there while I am down the river.

Cross-examined:

Q. Where was the permanent home of yourself and family on the 5th of November, 1878, and for more than two months immediately preceding the 5th of November, 1878?—A. In New Washington Borough, Clearfield County, Pennsylvania.

Q. What is your occupation?—A. Lumbering, jobbing.

Q. Have you in past years lived in New Washington Borough and made that place the home of yourself and family, and if so for about how many years?—A. I have lived there myself for about thirty-four or thirty-five years, ever since I can recollect. I have been something over fourteen years. I was married there and lived there ever since.

Q. Have you always voted in New Washington Borough, Clearfield

County, Pennsylvania?—A. Always; I never was assessed or paid taxes any place else.

Q. Have you been in the habit of taking jobs and removing your family to your camp in past years and remaining there until you would complete your job and then return to your home as soon as the same was completed?—A. I did last year, 1877, move my family to the camp and returned home in the spring. I moved to camp on September 17, 1878, and intend removing to my home in New Washington in the spring of 1879.

Q. When you left your home in New Washington in September, 1878, did you leave it with the intention of making a home for yourself elsewhere?—A. No, sir.

Q. Did you, when you moved your family in September, 1878, from your home in New Washington to your camp, remove them there simply to board yourself and men during the continuance of your job, on completion of which you would return to New Washington, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. When you moved your goods, or the portion of them you did move, from New Washington Borough, did you take more than what was necessary for the purpose of boarding yourself and your men in your shanty in Bell Township?—A. Just what I could get along with in camp.

Q. Where did you leave the balance of your household goods?—A. Locked up in the house at home, in New Washington Borough.

Q. Did you have possession of the house from the time you moved, and do you still have possession of the house in which you left balance of your goods in New Washington Borough, Clearfield County, Pennsylvania, when you removed therefrom in September, 1878?—A. I did; and have yet.

Q. Then I understand you to say, do I, that your permanent residence for more than two months immediately preceding the election of November 5, 1878, was in New Washington Borough, Clearfield County, Pennsylvania?—A. Yes, sir, of course; I never had any other residence.

Q. When you removed from your home in September, 1878, you intended simply to be absent until you would complete the job of work which you had taken in Bell Township; and you removed your family to Bell Township that you might board yourself and men, did you?—A. Yes, sir.

Q. Do you intend to remove your family back to your home in New Washington Borough as soon as your job is in a condition in which you can leave it?—A. I do.

Re-examined:

Q. How soon after the sheriff's sale of your property did you move to Bell Township?—A. It might of been a couple of months.

Q. Have you any contract with McMurray, the purchaser, in regard to the property?

(Objected to because it is immaterial and irrelevant.)

A. Verbally I have; I have no written contract.

Q. Did he ever give you notice to quit possession after the sheriff sale?—A. He did not; he told me to stay there and use it as my own.

And further saith not.

WM. MAHAFFEY.

Attest:

SEAL.

W. N. PROTHERO,
Notary Public.

THOMAS A. SMITH sworn.

Now, March 10, 1879, it is agreed between counsel for contestant and contestee that the testimony of the witness now sworn be taken now with same effect as if due and sufficient notice had been given as required by the act of Congress.

J. F. SNYDER,
Of Counsel for Contestant.
CYRUS GORDON,
For Contestee.

Question. Where do you reside?—Answer. In Bloom Township, Clearfield County, Pennsylvania.

Q. When did you move into Bloom Township with your family?—A. The 25th of October, 1878.

Q. Did you move your family there with the intention of making that your permanent home?—A. Yes, sir.

Q. Did you take with you the greater part of your goods?—A. I did; I took four loads; that was the greater part of them.

Q. Have they resided there ever since?—A. Yes, sir.

Q. Where did you move from, and who owned the house you lived in before moving?—A. I moved from Belleville, Greenwood Township, Clearfield County, Pennsylvania. I lived in the house belonging to estate of David Bell, deceased.

Q. When did your lease for said house expire?—A. The 25th of October, 1878, the day I moved my family from there.

Q. Where did you vote at the election of November 5, 1878?—A. In Greenwood Township, Clearfield County, Pennsylvania.

Q. For whom did you vote, at said election, for Congress?—A. Andy Curtin.

Cross-examined:

Q. Did you remain, yourself, in Greenwood Township till after November 5, 1878—the day of general election?—A. Yes, sir; I did.

Q. Why did you remove your family on October 25, 1878, from Greenwood Township?—A. Because my time had expired for which I had the house, and the weather was getting bad.

Q. When did you take the last load of goods away?—A. On the 5th of November—the day of election.

Q. Did you not remain in Greenwood Township until the day of election that you might vote there?—A. Yes, sir; that is what I remained there for.

Q. Had you gained a residence in Bloom Township before November 5, 1878?—A. No; I had not.

Q. Did you vote any place else on November 5, 1878, than in Greenwood Township, Clearfield County, Pennsylvania?—A. No, sir; I did not.

Re-examined;

Q. With whom did you board after moving away from Greenwood Township?—A. David Young.

Q. Did you not make your home with your family and visit them frequently after moving, October 25, 1878, and before the election?—A. I was just out over one Sunday. Went to get a change of clothes. My family did my washing.

Q. Have you and your family resided in Bloom Township ever since the election of November 5, 1878?—A. Yes, sir; we have.

Q. What were you doing in Greenwood Township just before the election?—A. Making square timber.

Q. Were you engaged in that work at the time you moved and until the day of the election?—A. Yes, sir; I was.

Q. Did you continue at the same work after the election?—A. No, sir; I finished the Saturday before the election.

Q. What were you doing between Saturday and the time you voted?—A. Well, I went home on Saturday night, and came back on Monday with a team. I staid all night in Belleville. Voted next morning, and then went home with a load of my goods.

And further saith not.

THOMAS A. SMITH.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

DAVID V. CURRY affirmed.

(Counsel for contestant objects to the taking of the testimony of the witness now sworn, for the reason that contestant or his counsel have not had any notice whatever, or such notice for the taking of testimony of the witness now affirmed as is required by the act of Congress regulating proceedings in contests for seats in the Congress of the United States. Counsel for contestant, however, reserves the right to withdraw this objection before the committee of Congress who shall hear the cause.)

Question. Where do you reside?—Answer. In Jordan Township, Clearfield County, Pennsylvania.

Q. Did you vote in said township at the general election of November 5, 1878, and for whom did you vote at said election, for Congress?—A. I voted in Jordan Township. I voted for Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. No, sir.

Q. How old are you?—A. I was twenty-one last August.

Q. Have you with you your family Bible?—A. Yes, sir.

Q. Examine it and see when you were born.—A. I cannot read.

(Witness produces Bible, and the following entry is copied therefrom :
"David V. Curry was born August the 12th, 1857.")

Cross-examined :

Q. When you voted at the general election on November 5, 1878, did you vote on age?—A. Yes, sir.

Q. Were you sworn by the election board, and by them asked your age?—A. Yes, sir.

Q. Did you read your ticket before voting?—A. Yes, sir.

And further saith not.

DAVID V. CURRY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

11.50 o'clock a. m. adjourned until 1 o'clock p. m. same day.

March 10, 1879, 1.30 o'clock p. m., examination resumed.

LEVI GOSS sworn.

Question. Where do you reside?—Answer. In Decatur Township, Clearfield County, Pennsylvania.

Q. Are you collector of State and county taxes for Decatur Township?—A. Yes, sir.

Q. For how many years back have you been collector of such taxes for Decatur Township?—A. I have been from 1873 or 1874 continuously up to the present time.

Q. Do you know Wm. Williams, sen'r?—A. Yes, sir.

Q. Did he pay a State or county tax to you within two years preceding the election of November 5, 1878? and, if so, state the time as near as you can.—A. Yes, sir; to the best of my knowledge it was in January, 1877.

Q. Do you know Jerry Sankey, and did he pay you a State and county tax within two years preceding said election of November 5, 1878?—A. Yes, sir; he did; he paid it at the spring election of 1877.

Q. Did Benj. Barr and Wm. Moffatt pay State and county taxes to you within two years preceding the said election of November 5, 1878?—A. Yes; they did.

Q. Did Abram Hummell pay any State or county tax to you within two years preceding the said election of November 5, 1878?—A. He did not, to the best of my knowledge.

Q. Do you or do you not know that Abram Hummell did not pay any such tax within those two years?—A. I do know that he did not; he was never assessed in any State or county book that came into my hands; there was a Henry Hummell assessed in my book for 1877, and Abram Hummell moved out of Decatur Township some time in July of 1877, and the State and county tax-book did not come into my hands for 1877 until after the 9th of August, 1877.

Q. Is the name of Abram Hummell on any of your State and county duplicates?—A. No, sir.

Q. Were you in 1877 a collector of any other taxes?—A. Yes, sir; school taxes.

Q. Did Abram Hummel in that year pay you any school tax?—A. No, sir; the name of Abram Hummel don't appear on my school-tax book.

Q. Did P. B. Zentmeyer pay you any State or county taxes on election day, November 5, 1878; and, if so, for how many persons?

(Objected to as immaterial and irrelevant.)

A. He did. I cannot tell you positively for how many persons; from four to six persons.

Q. Had you sent any tax receipts to Zentmeyer before that with the dates left blank?—A. Yes, sir.

Q. How many?—A. From four to six.

Q. Were those receipts for the persons for whom he paid the taxes on day of election?—A. Yes, sir.

Q. Cannot you give their names?—A. I cannot all.

Q. Have you your duplicates with you?—A. No, sir.

Q. Do you know what dates Zentmeyer filled into those receipts?—A. I do not.

Q. Were the taxes Zentmeyer paid you on day of election the only State and county taxes he paid you after October 5, 1878, and before the election?—A. Yes, sir.

Q. What is the politics of P. B. Zentmeyer.

(Objected to because it is immaterial and irrelevant.)

A. Democrat.

Cross-examined:

Q. Did not Abram Hummel pay you 50 cents State and county taxes in the fall of 1877, in Weisser and Bender's lumberyard in Decatur Town-

ship, Clearfield County, Pennsylvania, and you not give him a receipt for it, and was not this his registry tax?—A. No, sir; not as I have any knowledge of. Never gave him a receipt that I have any knowledge of.

Q. Then he may have paid you such a tax and you may have forgotten of his paying you the same?—A. No, sir; I don't think that he could.

Q. When William Williams paid you taxes, did you not give him a statement of the same, or had you not given him a statement before he paid them?—A. Yes, sir; I gave him a statement some two or three different times.

Q. Had you not other taxes against William Williams beside State and county?—A. Yes, sir. School tax.

Q. Has William Williams paid you his State, county, and school taxes within two years preceding the 5th of November, 1878?—A. He has not paid me any school tax within two years.

Q. Will the statement which you gave William Williams show what taxes he paid you within two years immediately preceding November 5, 1878?—A. I don't think it would, but the receipt would show.

Re-examined:

Q. Did Milton Owens ever pay to you any State or county tax?—A. Yes, sir.

Q. When was it paid, and did he pay it himself?—A. It was paid on the day of the election, November 5, 1878, by his father.

Q. Was that the only State and county tax he ever paid you or that was paid by any other person for him?—A. Yes, sir; that was the only one that was paid to me.

Q. How long has Milton Owens resided in Decatur Township?—A. He has been there for five or six years immediately preceding the election of November, 1878.

Q. Has he lived there continuously for those five or six years?—A. Yes, sir.

Q. Are you well acquainted with him, and how far do you live from where he does?—A. Yes, sir; and I live about two miles from him.

Q. Did Milton Owens vote in Decatur Township at the election of November 5, 1878?—A. I believe he did.

Q. What is his politics?

(Objected to for the reason that Milton Owens is a resident of Clearfield County, and of twentieth Congressional district of Pennsylvania, and his testimony can be had, and he is therefore the best evidence, and for the further reason that the evidence is hearsay.)

A. Democrat, I believe.

Q. What was his age on November 5, 1878, as near as you can tell?

(Objected to as hearsay, as the party himself can be had, and it is therefore not the best evidence.)

A. As near as I can tell he was between twenty-two and twenty-three years of age.

And further saith not.

LEVI GOSS.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

March 10, 1879, at 4 o'clock p. m., adjourned until 1 o'clock p. m.,
March 11, 1879.

One o'clock p. m., March 11, 1879, examination resumed.

FRANK M. BURCH affirmed.

Question. Where do you reside?—Answer. In Jordan Township Clearfield County, Pennsylvania.

Q. Were you present at the election in Jordan Township held November 5, 1878?—A. Part of the day and in the evening when they were counting off.

Q. What time in the day did you come there?—A. I was there two or three hours in the forenoon and about the same in the afternoon, and in the evening until they were done counting off.

Q. Were outsiders permitted to go in and out of the room in which the election was held during the day, and while the votes were being counted?—A. Yes, sir; they were.

Q. Were not persons permitted to go in and out at their pleasure?—A. They were.

Q. About how many persons would be in at one time?—A. Pretty hard to tell. Sometimes it would be full. I suppose there would be, maybe, thirty, and sometimes not so many—just as the excitement happened.

Q. Was not the room in which the election was held a public resort on that day?—A. I think it was. Everybody was allowed to run in and out.

Q. Were the ballots all numbered as they were received?—A. They were not.

Q. How many were received before they began numbering?—A. Well, it was either four or five. I am not positive which.

Q. Did they then begin to number them?—A. They did.

Q. When were the four or five first received numbered?—A. They tried to number them when they was counting off.

Q. When, in counting off, they came to a ballot that was not numbered, did they put a number upon it?—A. I think they numbered two of them, and they said they could not number the rest, for they couldn't tell how they voted, or who they belonged to.

Q. Were all persons who voted by virtue of being naturalized required to produce their papers?—A. I don't know if any was in the township but one, and he had been voting there for years.

Q. Were persons who claimed the right to vote, whose names were not on the registry list, or who had been challenged, required to make and sign any affidavit?—A. None, to my knowledge.

Q. Who comprised the election board, and what is the politics of each?—A. John Patterson was judge as a Democrat; inspector, John McCrackin, a Democrat; the other inspector was Joseph McNeel, a Republican; one clerk, Sylvester Weimer, a Democrat; and A. W. Young, a clerk, was Republican. I may be mistaken in the first name of Inspector McCrackin; it may be James or John.

Q. Was Joseph McNeel minority inspector?—A. He was.

Q. What was done with the ballot-box after the votes were counted?—A. I could not say for certain, but I think that Squire Wiemer took it up to his house.

Q. Was it sealed?—A. I could not say.

Q. Do you know Robert Biddle?—A. Yes, sir; I know him.

Q. Did he vote in Jordan Township at the election of November 5, 1878?—A. He did.

Q. For whom did he vote at said election for Congress, and how do you know?—A. I heard him say that he voted for Andrew G. Curtin for Congress.

Q. Did Biddle tell you before he voted that he intended to vote Curtin?—A. He did not.

Q. Did the said Robert Biddle reside in Jordan Township for two months immediately preceding the election of November 5, 1878?—A. I think not.

Q. Where did he reside before coming into the township of Jordan during those two months?—A. He was at young John Chase's, in Woodward Township.

Q. Was he a married man, and did he have any family?—A. No family, as far as I know, and was not married as I know of.

Q. How long before the election was it that he came into Jordan Township?—A. I think it was about twenty days.

Q. With whom did he live from that to the election?—A. Wm. T. Bloom.

Q. Before coming into Jordan Township, as stated, had he been making his home at John Chase's, in Woodward Township?—A. That is the way I heard the story, about his living there.

Q. Do you know Robert Patterson, and did he vote in Jordan Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. He did, and I know him.

Q. For whom did he vote at said election for Congress, and from what source did you derive your knowledge?—A. I heard him say he did.

Q. Did he tell you before he voted that he intended to vote for Curtin?—A. No, sir; he told me afterwards that he had voted for Curtin.

Q. Did Robert Patterson reside in Jordan Township for two months or more, immediately preceding the election of November 5, 1878?—A. He did not.

Q. When during those two months did he come into the township?—A. I think it was forty-five or fifty days before the election.

Q. Where did he come from?—A. From John Withero's, in Knox Township.

Q. Had he been making his home at John Withero's, in Knox Township, before coming into Jordan Township, as stated?—A. He was working at John Withero's all summer and fall.

Q. Which Robert Patterson do you refer to?—A. John Patterson's son, Robert.

Q. Where is he now?—A. At his father's. The doctor, his physician, say he has the dropsy; they say the dropsy of the brain.

Q. Is he able to leave home, or could he be brought here to testify?—A. In my opinion he is not able to leave home. He is in bad condition and nearly blind.

Cross-examined:

Q. Did you see anything done by the election board of Jordan Township fraudulently?—A. No, sir; I think not.

Q. Did not the board, in your opinion, conduct that election fairly and honestly, according to the best of their knowledge of the law?—A. Yes, sir, with the exception that they knew it was against the law to keep open doors.

Q. Did the persons—the outsiders, I mean—who went into the election room interfere in putting in or taking out, while the election was going on, any tickets or election papers?—A. Not to my knowledge.

Q. Was anything of this kind done by such outsiders during the counting off?—A. No, sir; not to my knowledge.

Q. At how many elections in Jordan Township, general and local, have you been present?—A. Three, I think.

Q. Has not the election-house been open so that persons could go in and out at those elections, as well as at that one of November 5, 1878?—

A. All the elections that I have been at, with the exception of the last, that is this spring election, have been conducted the same way.

Q. The majority of the election board, as I understand you, was Democratic?—A. Yes.

Q. In counting off, did not the board throw out three Curtin tickets, because the sheep-law ticket, which was printed at the end of the county ticket, was not detached?

(Objected to as not cross-examination.)

A. Yes, sir; they did.

Q. Was it the first four or five ballots that were voted that were not numbered?—A. Yes, sir, it was the first four or five.

Q. From that time until the close of the polls were the ballots numbered?—A. I believe they were, sir.

Q. Who in that township voted that was a naturalized citizen?—A. Patrick McCardell is the only one I think of.

Q. Has he not lived and voted in that district of Jordan for over five years?—A. I think he has.

Q. How many persons voted at that election whose names were not on the registry?—A. Not any that I know of.

Q. Was Wiemer, who took the ballot-box after the election was over, a justice of the peace at the time?—A. Yes, sir.

Q. After the board finished counting, was the result announced publicly?—A. Not according to law, if I understand the law. They stated who was elected; they read the names off, and the number of votes that each man received. They did not, to the best of my knowledge, put up a paper showing the result. I looked for it but could not find it.

Q. When did you look for it?—A. The next day after election.

Q. Where did Robert Biddell have his home prior to his going to John Chase's, jr.?—A. At Wm. T. Bloom's.

Q. What was he doing while at Chase's?—A. I heard he was gathering a root called ginseng.

Q. Do you know whether or not he changed at any time within three years past the place where he got his washing and mending done?—A. I don't know where he got his washing and mending done.

Q. Did not John Patterson, the father of Robert Patterson, who is sick, reside in Jordan Township ever since you have been there?—A. Yes, sir.

Q. Is Robert Patterson a single man?—A. Yes, sir.

Q. Do you not know that up to the time when you say he went to work for Withero, and since he came from there, he had his home at his father's?—A. Yes, sir; I believe he had.

Q. Do you know whether or not he voted on age and was sworn by the board?—A. I do not.

Q. What was he doing while at Withero's?—A. Farming, I think.

Q. By the day, month, or on the shares?—A. I could not say which.

Q. Do you know anything about his age?—A. I could not be positive in regard to his age; I think he is about twenty-three years of age; I don't know.

Q. Was you present when he voted?—A. I was not.

And further saith not.

FRANK M. BURCH.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

SYLVESTER WIEMER sworn.

Question. Where do you reside?—Answer. Jordan Township, Clearfield County, Pennsylvania.

Q. Did you vote in said township at the election of November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?—A. Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir; on June 13, 1877, to Captain McGaughey, county treasurer.

Q. Was that the only State or county tax you paid within those two years?—A. No, sir; I paid all my State and county taxes up to the present time.

Q. When did you pay any other State and county taxes?—A. In the years 1877 and 1878.

Q. What time in 1878, and to whom?—A. In the summer, to William T. Bloom.

Q. Have you a receipt to that payment of tax?—A. No, sir.
And further saith not.

SYLVESTER WIMER.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

J. DOUROSS SONES sworn :

Question. Where do you reside?—Answer. Morris Township, Clearfield County, Pennsylvania.

Q. How old are you?—A. Twenty-nine years old.

Q. Did you vote in Morris Township at the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election?—A. No, sir.

And further saith not.

J. DOUROSS SONES.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

GEORGE R. HART, jr., sworn.

Question. Where do you reside?—Answer. In Morris Township, Clearfield County, Pennsylvania.

Q. Did you vote in Morris Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. For whom did you intend to vote when you went to the election?—A. Well, I couldn't say exactly what my intention was who I was going to vote for. I was going to see first how the election was going to run. They asked me there who I was going to vote for; I told them I had a notion to vote the Greenback ticket.

Q. Did you not intend to vote for Seth H. Yocum for Congress?—A. That's what I have been telling you.

Q. Were any inducements held out to you to induce you to vote for Curtin?—A. Jack Sancroft said that if I would vote that ticket he would give me my dinner free.

Q. Did you agree to do so?—A. Yes, sir.

Q. Did he give you a ticket to vote in pursuance of the arrangement he made with you, and did he go with you to the polls and see you vote it?—A. Yes, sir.

Q. Did he afterwards give you your dinner as he agreed to?—A. Yes, sir; he done so.

Cross-examined:

Q. Did you sell your vote for your dinner?—A. Why, it is just as I have said; if you make that out selling a vote for my dinner, why, it's sold, I guess.

Q. Had you fully made up your mind how you was going to vote, and fully decided how you were going to vote before you saw Sancroft, or had you just been thinking about voting the Greenback ticket without having fully decided to do so?—A. I hadn't made up my mind as to how I was going to vote before I went to see Sancroft.

Q. Had you at any time before you saw Sancroft decided in your own mind how you was going to vote?—A. I said I was going to vote the Greenback ticket.

Q. When was that?—A. On election day.

Q. Had you your ticket at the time you said that—a Greenback ticket?—A. No, sir.

Q. Did you at that time know who was the candidates on the Greenback ticket for governor and Congress?—A. No, sir.

Q. Did you not go to the election intending to see how it was going, and then make up your mind and vote accordingly?—A. Yes, sir.

Q. How long have you lived in Morris Township?—A. I was born in Morris Township, and lived there ever since. I am about twenty-five years old now.

Q. Did or did not Sancroft give any other reason why you should not vote the Greenback ticket, than simply to say he would give you your dinner?—A. Jack Sancroft said that my father always voted the Democratic ticket, and I ought to vote the same; that is all that was said about that.

Q. Had or had not that as much or more to do with your voting the Democratic ticket as his saying he would give you your dinner?—A. I voted that way because he gave me my dinner.

Q. Had you fully decided to vote any other way?—A. I had not made up my mind altogether as to how I was going to vote.

Q. Did you know at that time that Seth H. Yocum's name was on the Greenback ticket?—A. No, sir.

Q. You had not then at that time decided to vote for him?—A. I hadn't made up my mind who I was going to vote for.

Q. Was that a good dinner or only one of the ordinary kind?—A. The dinner was—if could have it every day that way I could stand it.

Re-examined.

Q. Would you not have voted the Greenback ticket had you not seen Sancroft?—A. Well, that would of been hard to tell for who I would of voted for.

Q. Were you a member of the Greenback Club in Morris Township, or did you attend any of its meetings?—A. No, sir; and I did not attend any of their meetings.

Q. When Sancroft approached you, did you tell him you intended to vote the Greenback ticket?—A. I told him I had a notion to vote the Greenback ticket.

Recross-examined:

Q. Had you before that election always voted the Democratic ticket?—A. Yes, sir.

And further saith not.

G. R. HART.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JARED WAPLE affirmed.

Question. Where do you reside?—Answer. In Morris Township, Clearfield County, Pennsylvania.

Q. Did you vote in Morris Township at election of November, 5, 1878, and for whom did you vote for Congress?—A. I did; I voted for Curtin.

Q. Did you pay any State or county tax for two years preceding the said election?—A. Yes, sir.

Q. When, and to whom?—A. I paid to Warren Hollenback in 1876 and 1877.

Q. Have you a receipt for your 1877 tax?—A. No; I have not, but Hollenback is here.

Q. Are you sure you do not live across the line and in Graham or Boggs Township?—A. I am assessed in Morris Township, and I live on the McCanally tract; it is assessed in Morris Township.

Q. Did you not say to Mr. Shimmel that you lived in Graham Township?—A. I never talked to Mr. Shimmel anything about, as I know of.

Q. Did you ever say to Clark Cone that your house was not in Morris Township, but was across the line, and either in Boggs or Graham Township?—A. No, sir; but he wanted me to swear possibly it might be over in Boggs or Graham.

Cross-examined:

Q. When was it that Cone wanted you to swear this?—A. Why, it was to-day.

Q. Since you came here?—A. Yes, sir.

Q. Was you born in the county?—A. Yes, sir.

Q. What is your age?—A. About thirty, I think.

Q. Did you live in the State one year and in Morris Township for two months immediately preceding the 5th of November, 1878?—A. Yes, sir.

And further saith not.

JARED WAPLE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

And now, 5.50 o'clock p. m., March 11, adjourned until 7 p. m. same day.

And now, 7.45 p. m., same day, examination resumed.

W. E. DIVINEY produced and sworn.

Question. Where do you reside?—Answer. Morris Township, Clearfield County, Pennsylvania.

Q. How long have you resided in said Morris Township?—A. Twenty or twenty-one years.

Q. Were you one of the inspectors of Morris Township for the general election held November 5, 1875?—A. Yes, sir; I was.

Q. Was you present as one of the inspectors during the election on said day in Morris Township?—A. Yes, sir.

Q. By whom was the election board sworn—that is, the election board of Morris Township which held the election of November 5, 1878?

(Counsel for contestant objects to the taking of the testimony of this witness now sworn so far as the same relates to the swearing or qualifying of the election officers who held the election of November 5, 1878, in Morris Township, Clearfield County, Pennsylvania, for the reason that the contestee in his answer to notice of contest did not allege that said election board in said township of Morris were not duly and legally qualified and sworn to perform their respective duties as such officers, and the testimony is therefore irrelevant. Counsel for contestant reserves the right to withdraw this objection when the cause shall come on to be heard before the committee of Congress.)

A. Sworn by A. W. Raymond, justice of the peace of Morris Township.

Q. Were both the judge and both of the inspectors at said election sworn in by said justice of the peace, and by no one else?—A. Yes, sir; they were sworn in by him, and by no one else.

Q. You say that you was one of the inspectors; now please give the names of the judge and the other inspector.

(Objected to because it is not the best evidence; the returns of said election, being on file in the office of prothonotary of Clearfield County, are the best evidence of who was or was not officers in said township of Morris, at said election.)

A. Peter Moyer was judge and Joseph Raymond was the other inspector.

Q. Was the judge present at the said election all the time?—A. No, sir; he was not all the time; he was out a few times, but not to amount to anything; down to his store, as near as I can recollect.

Q. Did said election board have the registry list at the place of election, and were the names of the voters checked off as each man voted?—A. Yes, sir.

Q. Did any persons vote whose names were not on the registry list?—A. Yes, sir.

Q. When they voted were these names added to the registry list?—A. Yes, sir.

Q. Were there any persons except the board and the clerks in the election room while the voting was going on and the votes being counted?—A. There was at different times.

Q. After the vote or ballots were counted, was the ballot-box sealed? (Objected to because it is immaterial what was done to or with the ballot-box after the votes were counted, since no recount of the votes cast at said election in said township had been ordered. The evidence is therefore immaterial and irrelevant.)

A. No, sir.

Q. Who took charge of the ballot-box after the ballots were counted? (Objected to for the same reason as in the preceding objection.)

A. Peter Moyer, the judge of election.

Q. For how long after the said election did Peter Moyer, the judge, have possession of the ballot-box of Morris Township?—A. I don't know exactly; I think it was some five or six weeks.

Q. What is the politics of Peter Moyer, the judge?—A. He is a Democrat.

Cross-examined:

Q. During the times that persons were in the room other than mem-

bers of the election board were the election officers interfered with in any way in the performance of their duties or was the ballot-box meddled with by outsiders?—A. No, sir.

Q. Were all the members of the election board of Morris Township, Clearfield County, Pennsylvania, sworn and qualified by A. W. Raymond as justice of the peace in and for Clearfield County, Pennsylvania?—A. Yes, sir.

Q. When persons whose names were not upon the registry offered to vote, did you require them to give you satisfactory evidence that they were qualified voters in said township of Morris before you received their votes?—A. Yes, sir.

Q. Were the votes which were cast on November 5, 1878, in Morris Township correctly counted, and the number received by each candidate ascertained?—A. I think they were.

Q. As soon as the result of said election in said township was ascertained was such proclamation made of said result as to give it publicity?—A. Yes, sir. A brief statement showing the number of votes cast for each candidate was made and posted on the door of the election-house.

Q. Were you the minority inspector of said election in Morris Township?—A. Yes, sir.

Q. When Peter Moyer, the judge, was absent from the election-house, was he absent for any length of time?—A. No, sir.

Re-examined:

Q. About what time on November 5, 1878, were the election polls of Morris Township opened?—A. Pretty near eight o'clock in the morning.

Q. Was each member of the election board sworn in by Raymond, justice of the peace, about eight o'clock a. m., November 5, 1878?—A. Yes, sir.

And further saith not.

W. E. DIVINEY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

Nine o'clock p. m., March 11, 1879, adjourned until 8 o'clock a. m., March 12, 1879.

March 12, 1879, at 8.50 o'clock a. m., examination resumed.

JAMES P. FOLMER affirmed.

Question. Where do you reside?—Answer. In Morris Township, Clearfield County, Pennsylvania.

Q. Did you vote in Morris Township at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I voted there, and for Mr. Curtin.

Q. When, in 1878, did you go to Centre County to work?—A. The 4th day of May.

Q. For whom?—A. J. C. Nason.

Q. Where did he live?—A. In Black Bear, Rush Township, Centre County, and at Bald Eagle Ridges (Pleasant Valley).

Q. When did you quit working for Nason and return to Morris Township?—A. I quit a while before the election; then I went back, worked again after the election a while for him.

Q. How long was it before the election that you came back?—A. Could not just say; it was two or three weeks, I expect.

Q. Was it as much as a month before?—A. It was about three weeks, I think, as near as I can tell.

Q. Don't you know it was less than a month before?—A. Yes; it was less than a month.

Q. Did you work for Nason, in Centre County, from the time you went there in May till you returned, a short time before the election?—

A. No, sir; I came back and worked for father, J. N. Fulmer.

Q. How long did you work for your father during that time?—A. I came back and worked a week or two still, and then back to Nason again.

Q. How many times did you thus return and work for your father a week?—A. Three times; and the fourth time I staid till after the election, and then went back to Nason's.

Q. Were you working for yourself, lifting your own wages, and supporting yourself during that time?—A. Yes, sir.

Q. What kind of work was you engaged in with Nason?—A. I was hewing stringers, laying ties, and working on the tram-road.

Q. How soon after the election did you go back to Nason?—A. About a month and a half, as near as I can tell.

Q. Are you married?—A. No, sir.

Q. How old are you?—A. I was twenty-seven the 4th day of last May.

Q. What part of the time you were with Nason were you at Bald Eagle Ridges?—A. After harvest I was there about three weeks, digging a well.

Q. Was that all the time you were at Bald Eagle Ridges?—A. Yes, sir.

Q. How far is it from where your father lives to where Nason lives?—A. I judge it's eight or nine miles; maybe ten.

Q. Did Nason board you?—A. Yes, sir.

Q. Were you registered as a citizen of Rush Township, and did you vote there at any time during the year 1878?—A. I was not registered that I know of; if they registered me they done it of their own accord. I voted at nomination; they called it caucus.

Q. Was it at the election of delegates of Democratic party?—A. Yes, sir.

Q. Did you not, before voting at said election, swear that you were a citizen of said township?—A. No, sir.

Q. Did you not say that you were?—A. No, sir.

Q. Was not the election board told that you were a citizen by some one?—A. Not as I know of.

Cross-examined:

Q. Where was your house before and since the election of November 5, 1878?—A. With my father, in Morris Township, Clearfield County, Pennsylvania.

Q. Have you ever had, within two years past, your home anywhere else than with your father?—A. No, sir; I always counted it my home.

Q. Was you not regularly registered and assessed in Morris Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Did you, at the November election of 1878, vote anywhere else than in Morris Township?—A. No, sir.

Q. Was you working for Nason in a lumber operation, except the time you dug a well for him?—A. Since I dug the well I have not been working in the lumber for him; I worked a few days on the farm.

And further saith not.

JAMES P. FOIMER.

[SEAL.]

Attest: W. N. PROTHERO, *Notary Public*.

CLARK CONE sworn.

Question. Are you the Clark Cone that was examined as a witness for contestant?—Answer. Yes, sir; I am.

Q. Where do you reside?—A. Morris Township, Clearfield County, Pennsylvania.

Q. When and where were you born?—A. Born on the 8th day of July, 1828, in the State of New York.

Q. How long have you resided in the State of Pennsylvania immediately preceding the election of November 5, 1878?—A. Not far from fourteen years.

Q. Did you reside in Morris Township aforesaid for more than two months immediately preceding the election of November 5, 1878, with your wife and family?—A. I did, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months, and paid more than one month before said election?—A. I had, sir; I did.

Q. Have you a receipt for it, and will you produce and read it?—A. I have, sir; and will produce and read it. It reads as follows:

“TREASURER’S OFFICE,

“Clearfield, Pa., June 27th, 1877.

“Received of Clark Cone the sum of one dollar and sixty-five cents, being his county and State tax for the year 1877 for his property situated and assessed in the township of Bradford.

(Signed)

“D. McGAUGHEY,

“Treasurer.”

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And further saith not.

CLARK CONE.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

CLARK CONE recalled before leaving the room.

Question. When you voted in Morris Township were you required to make and sign an affidavit and procure another person to vouch for your residence in the township?—Answer. I was not sworn.

Q. Were you registered?—A. I was not.

Q. Were you asked if you had paid any taxes?—A. I think not by the board.

And further saith not.

CLARK CONE.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

E. P. TROUT sworn.

Question. Are you the E. P. Trout that was called as a witness by the contestant?—Answer. I am.

Q. When and where was you born?—A. In Berks County, Pennsylvania, the 2d day of June, 1836.

Q. Did you reside in the State of Pennsylvania for more than one year immediately preceding the election of November 5, 1878?—A. I did.

Q. Did you reside in Morris Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—
A. I did.

Q. Did you within two years, and more than one month immediately preceding said election, pay a State and county tax that was assessed more than two months before said election?—A. I did.

Q. With whom do you make your home in Morris Township?—A. At present I make my home with O. L. Schoonover; I made my home with Clark Cone before the election.

Q. Were you ever married?—A. Yes, sir.

Q. What became of your wife?—A. She deserted me on the 15th day of April, 1878.

Q. Has she lived with you since?—A. I have not seen her since.

Cross-examined:

Q. Were you and your wife legally divorced by proceedings of the court?—A. No, sir.

Re-examined:

Q. Did your wife ever return to your home after she deserted you?—
A. No, sir.

Recross-examined:

Q. Where were you living at the time of this alleged desertion?—A. At Du Bois City, Clearfield County, Pennsylvania.

Re-examined:

Q. Were you keeping house at Du Bois City when she deserted you?—
A. Yes, sir.

And further saith not.

E. P. TROUT.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WILLIAM SANDERS sworn.

Question. Are you the William Sanders that was called as a witness for contestant?—Answer. Yes, sir.

Q. Where do you reside?—A. I lived in Morris township on November 5th, 1878.

Q. Are you married, and, if so, for what length of time have you been?—A. I was married on the 27th of January, 1879.

Q. Did you vote in Morris township on November 5, 1878?—A. Yes, sir.

Q. When and where were you born?—A. I was born in Williamsport, Pennsylvania, in 1857.

Q. What time in 1857 were you born?—A. On the 22d of February.

Q. Did you or not vote on age?—A. I voted on age.

Q. Did you reside in Morris Township, Clearfield County, Pennsylvania, for more than two months immediately preceding the election of November 5, 1878, and in the State of Pennsylvania for more than one year immediately preceding said election?—A. Yes, sir.

And further saith not.

WILLIAM SANDERS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

J. H. THOMPSON affirmed.

Question. Where do you reside?—Answer. In Lawrence Township, Clearfield County, Pennsylvania.

Q. When were you born?—A. In the year 1858, March 8.

Q. Did you vote in Lawrence Township or elsewhere on November 5, 1878?—A. No, sir.

And further saith not.

J. H. THOMPSON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WM. DIVINEY recalled and sworn.

Question. Were you called yesterday as a witness?—Answer. Yes, sir.

Q. Were you minority inspector in Morris Township at the election of November 5, 1878?—A. Yes, sir.

Q. Were outsiders permitted to go in and out of the room where the election was held during the day, and while the votes were being counted off?—A. Yes, sir; they was in and out at times.

Q. About how many such persons would be in at one time?—A. There was one time probably a dozen in.

Q. Were they in most of the time?—A. No, sir; not except those with checkers, parties with window books.

Q. Persons were also present, were they, while the vote was being counted?—A. There were some.

Q. Who had charge of the registry, and by whom were the names checked off and others added?—A. John Hoover, the assessor.

Q. Was he a member of the board?—A. I think the assessor is a member of the board. I don't know. That's my opinion of the law.

Q. Was he there merely as assessor?—A. Yes, sir.

Q. Did any of the members of the election board or clerks hold any other offices?—A. One of the clerks, James Thompson, held the office of township clerk.

Q. Were any of them candidates at said election?—A. Yes, sir; the other clerk, John E. Hockenbury, was a candidate for county auditor on the Greenback ticket.

Cross-examined:

Q. Did persons other than the election board in any way, during the time ballots were being received or were being counted off, interfere by putting in or taking out any papers into or out of the ballot-box that night or that day?—A. No, sir.

Q. James Thompson, the clerk, who held the high and exalted position of township clerk, was a Republican or Greenback, was he not?—A. I think he voted the Greenback ticket.

Q. In conducting the election, were persons offered to vote whose names were not on the registry, were they required to be sworn as to their legal qualification, and to also produce a witness who was sworn as to their residence in Morris Township?—A. Yes, sir.

Q. Was the election, to the best of the understanding of the board as to the election law as well as in other particulars, conducted legally, fairly, and honestly without respect to party?—A. I think it was.

And further saith not.

W. E. DIVINEY.

Attest:

[SEAL.]

W. N. PROTHERO, *Notary Public.*

And now, 12.15 o'clock p. m., March 12, 1879, adjourned till 1 o'clock p. m.

And now, 1.50 o'clock p. m. same day, examination resumed.

VICTOR BILLOTTE sworn.

Question. Where were you born?—Answer. Born in France.

Q. When did you come to this country?—A. In the fall of 1847.

Q. How old were you when you came to this country?—A. I think I was eleven years old.

Q. Did you come here with your father?—A. Yes, sir.

Q. Was your father ever naturalized?—A. Yes, sir.

Q. How old were you when your father was naturalized?—A. I don't know positively; I think I was about eighteen years old.

Q. Were you ever naturalized?—A. No, sir; my father was.

Q. How have you been voting?—A. On my father's paper.

Q. Are you positive you were under the age of twenty-one when your father was naturalized?—A. I guess I was.

Q. Don't you know you were?—A. Why, I think so; I am sure I was under age.

Q. Is your father living?—A. Yes, sir.

Q. Is he or not a very old man?—A. He is seventy-five.

Q. What is his name?—A. Lawrence Billotte.

Q. Where was he naturalized, if you know?—A. Here in Clearfield.

Q. How long have you resided in the State of Pennsylvania continuously?—A. Thirty-one years.

Q. Are you married?—A. No, sir.

Q. Where do you live?—A. Girard Township, Clearfield County, Pennsylvania.

Q. Did you vote in Girard Township at the election of November 5, 1878?—A. Yes, sir.

Q. Did you reside there for more than one year immediately preceding said election?—A. Yes, sir.

Q. Did you, within two years immediately preceding said election, pay a State or county tax that was assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. Have you a receipt, and will you produce and read it?—A. Yes, sir; this is it, as follows:

“TREASURER'S OFFICE,

“Clearfield, Pa., May 9, 1877.

“Rec'd of Victor Billotte the sum of two $\frac{69}{100}$ dollars, being his county and State taxes for the year 1877, on his property situate and assessed in the township of Girard.

(Signed)

“D. McGAUGHEY,

“Treasurer.”

Q. Did you pay other State or county taxes within those two years for which you have no receipts?—A. I don't know; I could not—don't mind.

Cross-examined:

Q. How long is it since you saw your father's certificate of citizenship?—A. I see part of it this week; I seen part of it yesterday; had a notion to brought it over, but it was torn.

Q. What was the date of it?—A. I don't know what's the date; think it was 1855; can't tell.

Q. Do you say that it was 1855, or that you can tell the date; which?—A. I think it is 1855; yes.

Q. How many years after your father came to this country until he

was naturalized, if you can tell?—A. About five years till he got his naturalization papers.

Q. In what year and month were you born?—A. In December. I don't know exactly what year; I think 1835.

Q. How do you fix the time of your birth?—A. Why, I have got a paper, and its date is 22d of February, 1835.

Q. When did you look at that date last?—A. After I was called as a witness here for contestant.

Q. How old was your father when he was naturalized?—A. I don't know exactly; can't tell without stopping to count.

Q. What time in the fall, if you can tell, did you land in this country?—A. I think in September.

Q. Did the election board require you to produce your father's papers or be sworn?—A. Never; not in our township.

Re-examined:

Q. Have you been voting for more than five years immediately preceding the election of November, 1878, in Girard Township?—A. Yes, sir; I voted for six years straight along in this county.

Recross-examined:

Q. At how many of these elections during those six years did you produce before the election board either your father's papers or a certificate from the court here that your father was naturalized?—A. No; I never produced either of them.

And further saith not.

VICTOR BILLOTTE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

SIMON P. JURY affirmed.

Question. When and where were you born?—Answer. In Girard Township, Clearfield County, Pennsylvania; I was born in 1852, April 5.

Q. Are you married?—A. Yes, sir.

Q. Did you reside in Girard Township for more than one year immediately preceding the election of November 5, 1878?—A. Yes, sir; I did.

Q. Did you pay a State or county tax within two years immediately preceding the said election of November 5, 1878, that was assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. Have you any receipt, and will you produce and read it?—A. Yes, sir; can't read it.

It read as follows:

“GIRARD TOWNSHIP, *June 10, 1878.*

“Received of Simon P. Jury the sum of 26 cents, being his State and county tax for 1877.

(Signed)

“JOHN R. CARR,
“Collector.”

Q. Are you the Simon P. Jury that was called and examined as a witness for contestant?—A. Yes, sir.

Cross-examined:

Q. When did you get that tax-receipt?—A. That's something I can't tell you. It was left there for me at home.

Q. Can't you tell when it was left there for you?—A. I got it a week or two before I was up the other time testifying.

Q. Who brought it to your house, if you know?—A. John Carr.

Q. How long after the election was that?—A. It was in the last of December he brought it to me.

Q. Was you at home?—A. No, sir.

Q. Who told him to bring the receipt to your home?—A. Indeed I could not tell you that. He just fetched it.

Q. Did you ask him at any time to bring you this receipt?—A. No, sir; I didn't.

Q. Who paid this tax?—A. I did; paid it to him.

Q. When?—A. It was in June—about 9th or 10th—1878.

Q. Did you ask him for a receipt then?—A. No, sir.

Q. How did you pay it?—A. I paid it in money.

Q. Where?—A. At my father's.

Q. What did he say was his reason for bringing this receipt?—A. Well, indeed I could not tell you. He brought it before (awhile) I was subpoenaed here first.

Q. Had Carr his duplicate showing the amount of your taxes with him in June when you say you paid them?—A. No, sir; he had not, not as I seen.

Q. Had he them on a slip of paper?—A. No, sir.

Q. What was he doing there at your father's?—A. That's something I can't tell you.

Q. How did you come to pay the tax, and how did you know the amount?—A. He had asked me one time for it and I had not it along.

Q. How long before this time in June was it he asked you for them?—A. Some time about the middle of May.

Q. Did you ask him for a receipt?—A. No, sir.

Q. Did you see him between the 9th and 10th of June and in December when you got this receipt?—A. Yes, sir; I have.

Q. About how many times?—A. I seen him a good many times.

Q. Did you ever speak to him about a receipt for the taxes you paid in June?—A. No, sir; I did not.

Q. So far as you know, then, he sent you this receipt or left it at your house without being asked to do so?—A. Yes, sir; he did.

Q. Can't you fix the time when it was left there?—A. No, sir, I can't do it.

Q. How long was it before you came here to testify the first time?—A. I guess it was a week or two, as near as I can tell.

Q. Did you find this tax-receipt left at your house after a man had been to your house to subpoena you to appear and testify on part of the contestant?—A. Yes, sir.

Q. How many days after Mr. Walters was there with the subpoena until you found this receipt had been left?—A. The second day; that is the day after.

Q. How far does Carr, the collector, live from your house?—A. About a mile and a quarter.

Q. Was you sworn by the election board?

(Objected to as not cross-examination.)

A. No, sir; I was not.

Q. Was any proof of any kind required of you by the board before you voted?—A. No, sir.

Re-examined:

Q. Then this tax-receipt was left or brought to your house after you had been subpoenaed by contestant, and without your knowledge or direction?—A. Yes, sir.

Q. Did you pay any other State or county tax within two years preceding the election of November 5, 1878?—A. Yes, sir; I did.

Q. When, and to whom?—A. I always paid my tax to John Carr.

Q. Did you pay any State and county tax in the year 1877?—A. Yes, sir; I did.

Q. Who to?—A. John Carr.

Q. Was or was not that your taxes of 1876?—A. They was for 1876.

Q. Have you any receipt for the State and county tax you paid in 1877?—A. No, sir; I have not.

Q. Did you ever have one, and what has become of it?—A. I never took a receipt, only this one.

Q. Do you know what time in 1877 you paid that tax?—A. No, sir; I don't.

Recross-examined:

Q. How much tax did you pay in 1877?—A. Either 24 or 25 cents. And further saith not.

SIMON P. JURY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WESLEY MCGOVERN sworn.

Question. Where do you reside?—Answer. In Girard Township, Clearfield County, Pennsylvania.

Q. When and where were you born?—A. In Girard Township; the 25th of December, 1855.

Q. Are you married?—A. No, sir.

Q. Did you reside for one whole year and more in the State of Pennsylvania before said election?—A. Yes, sir.

Q. Did you reside in Girard Township for more than two months preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years immediately preceding said election that was assessed more than two months and paid more than one month before said election?—A. Yes, sir; I did.

Q. Have you any receipts for the payment of such taxes?—A. I have at home, mislaid some place.

Cross-examined:

Q. When did you pay State and county tax, and to whom?—A. This spring—last spring, I mean to say; 1878; to the tax-collector of Girard Township. I mean to the county treasurer in Clearfield.

Q. What is your full name?—A. Sylvester McGovern.

Q. How old is your brother next younger than you?

(Objected to as not cross-examination.)

A. I can't tell you; somewhere about eighteen or nineteen years.

Q. Was you sworn by the election board before you voted?—A. No, but my father was there; they took his word for it for my age.

Q. Are you sure that you were not sworn?—A. Yes, sir.

Q. Did the board require you to sign any paper?—A. No.

Q. Is there any other family of the same name in your township beside your father?—A. No, sir.

Re-examined:

Q. Did you pay other State or county taxes within two years preceding the election of November 5, 1878, than those you paid to the county treasurer, in the spring of 1878?—A. Yes, in the spring of 1877.

Q. Do you not generally go by the name of Wess. McGovern, and frequently sign your name in that way?—A. Yes, sir.

And further saith not.

WESS. MCGOVERN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN S. CAVANER affirmed.

Question. Where do you reside?—Answer. In Beccaria Township, Clearfield County, Pennsylvania.

Q. When was you born?—A. I was born in 1849, October 12.

Q. Did you vote in Beccaria Township at the election of November 5, 1878, and for whom did you vote for Congress?—A. I did vote on that day, and for Andrew G. Curtin.

Q. Did you pay any State or county taxes within two years preceding said election; when, to whom, and for what year was it assessed?—A. I did, on the 5th day of September, 1877, to Jackson Kinkead, and assessed for the year 1877; there was no tax assessed against me for the year 1876; my name was not on the duplicate.

Q. Have you paid your State and county taxes for the year 1878, and when?—A. I have, in February, 1879.

Q. The tax you paid to Kinkead in 1877 was the only State and county tax you paid within two years preceding said election?—A. What I paid to Kinkead was the only tax I paid within two years.

Q. Were you not exonerated from the payment of that tax prior to the 5th day of September, 1877?—A. I was, according to the duplicate.

Q. Did or did not Kinkead tell you, before you paid it, that it had been exonerated, and that he had no taxes against you?—A. He did not tell me he had no taxes against me; he told me he thought it was exonerated.

Q. Had he his duplicate with him when you paid him?—A. He had not.

Q. Have you since seen his duplicate of State and county taxes for 1877, and is your tax therein marked exonerated?—A. I have seen it. I think it was marked Ex.

Cross-examined:

Q. Did you ask him about your tax at the time you paid it, or did he ask you?—A. I asked him.

Q. Did you know at that time that he was the collector of State and county taxes, and was that the reason you spoke to him on the subject?—A. I did, and that was the reason.

Q. Have you the receipt with you?—A. (Produced.) I have it.

“GLENHOPE, Sept. 5, 1877.

“Received from John Cavaner thirty-five cts., being his county & State tax for the year 1877.

“J. KINKEAD, *Collector.*”

Q. Did you live in Beccaria Township, Clearfield County, Pennsylvania, two months immediately preceding the election of November, 1878, and one year in the State of Pennsylvania?—A. I did.

Q. Are you American born?—A. I am.

And further saith not.

JOHN S. CAVANER.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

March 12, 1879, at 5.20 o'clock p. m., adjourned until 1 o'clock p. m.

March 17, 1879, to meet at Centennial Hotel, Houtzdale, Clearfield County, Pennsylvania.

Depositions of witnesses taken before W. N. Prothero, a notary public of the State of Pennsylvania, a resident of the town of DuBois, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the Centennial Hotel, in the borough of Houtzdale, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, contestee, on the 17th day of March, A. D. 1879, commencing at 1 o'clock p. m.

GEORGE POORMAN affirmed.

Question. When and where were you born?—Answer. Born in Centre County, Pennsylvania, on June 30, 1849.

Q. Where do you reside?—A. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife and family reside in the said borough of Houtzdale, Clearfield County, Pennsylvania, for more than one year immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding election of November 5, 1878, that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. Have you any receipt therefor?—A. Yes, sir.

Q. When and to whom did you pay such State and county taxes?—A. To John Malee, June 24, 1878, and to Patrick Dugan, August 23, 1878.

Q. Did you vote at the election in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Mr. Yocum, I think.

Q. Do you or not know that you voted for Seth H. Yocum for Congress?—A. I voted for him.

Cross examined :

Q. How do you know that you voted for Seth H. Yocum?—A. I am positive I voted the full Republican ticket.

Q. Who was the candidate for Congress on the Republican ticket?—A. Yocum.

Q. When did you pay your State and county taxes to John Malee?—A. June 24, 1878.

Q. Did you pay them yourself?—A. No, sir.

Q. When did you pay your State and county taxes to Pat. Dugan?—A. August 23, 1878.

Q. Did you pay them yourself?—A. No, sir.

Q. Was your vote challenged at the election of November 5, 1878?—A. No, sir.

Re-examined :

Q. Were these taxes paid to Collectors Dugan and Malee by your direction or request?—A. They were.

Recross-examined :

Q. When did you receive your receipt from John Malee for your State and county taxes?—A. June 24, 1878.

Q. Did you receive it from him yourself?—A. That I cannot answer.

Q. Did you see your taxes paid to John Malee?—A. No, sir.

Q. When did you receive your receipt from Pat. Dugan?—A. August 23, 1878.

Q. Did you see your taxes paid to Dugan?—A. I am not positive, as I never pay my taxes; they pay them for me—the firm paid them for me.

Q. Did you get your receipt yourself from Pat. Dugan?—A. I did.

Q. Does your family reside here in Houtzdale Borough?—A. Yes, sir.

Q. Where did they reside on the 1st day of September, 1878?—A. In Houtzdale.

Q. Did you ask anybody to pay your taxes for you?—A. Well, as I am employed by Frank Liveright & Co., they pay my taxes and charge the same to me.

Q. Did you ask any one to pay your taxes which were paid to Malee and Dugan for you?—A. They were paid by Frank Liveright & Co., and charged the same to me.

Q. Did you ask any one to pay for you the taxes which were paid to Malee and Dugan?—A. They were paid by Frank Liveright & Co., and charged to me.

Q. Did you ask any one to pay for you the taxes which were paid to Malee and Dugan?—A. Frank Liveright & Co. pays my taxes and charges the same to me. I am working in the store, and authorized them to pay them always.

Q. When did you authorize them to pay your taxes to Dugan and Malee?—A. Any time they came around to collect.

Q. When did you tell Frank Liveright & Co. that they should pay your taxes to Dugan and Malee?—A. I told them that any time they came around to pay them. I told them last summer.

Q. What did you tell them?—A. That any time they called on taxes to pay them and charge the same to me.

Q. Did you tell them to pay John Malee and Pat. Dugan your taxes?—A. I did; any time they called for them; yes, sir.

Q. Did you read your ticket which you voted at the election on November 5, 1878?—A. Yes, sir.

And further saith not.

GEORGE POORMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

TIMOTHY GORMAN sworn.

Question. Where do you reside?—Answer. In Houtzdale, Clearfield County, Pennsylvania.

Q. Did you vote in election district of Houtzdale Borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. To whom and when?—A. To John Malee, the summer before last.

Q. Did you pay that tax on the date stated in the receipt?—A. Yes, sir; I got the tax-receipt at the same time I paid it.

Q. Will you hand the receipt to the notary to copy?

And witness produces receipt, and the following is a true copy:

“Rec'd, Houtzdale, Sept. 22d, 1877, of Timothy Gorman, one dollar and five cents State & county tax for 1877.

“\$1.05.

JOHN MALEE, *Col.*”

Q. Did you pay that tax yourself and in money?—A. Yes, sir; I did.

Q. Was that the only State or county tax you paid within those two years?—A. Yes, sir; that's the only State and county tax.

Q. When and where were you born?—A. Born in Ireland, in 1842 or 1841.

Q. When were you naturalized?—A. It will be five years next June.

Q. Where were you naturalized?—A. At Clearfield, Clearfield County, Pennsylvania.

Cross-examined:

Q. Were you a citizen of the United States for more than one month before the election of November 5, 1878?—A. Yes, sir.

Q. Had you resided in Pennsylvania for more than one year preceding the election of November 5, 1878?—A. Yes, sir.

Q. Had you resided in Houtzdale Borough, Clearfield County, Pennsylvania, for more than two months preceding the 5th of November, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years immediately preceding the election of November 5, 1878, which was assessed at least two months and paid more than one month before said election?—A. Yes, sir.

And further saith not.

his
TIMOTHY + GORMAN.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

DENNIS FITZGIBBON sworn.

Question. Where do you reside?—Answer. In the borough of Houtzdale, Clearfield County, Pennsylvania.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andrew G. Curtin.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election?—A. I have got the receipt here. I can't read it.

Q. When did you pay this tax?

(Objected to by counsel for contestant for the reason that the witness has produced a receipt for the payment of his State and county taxes, which is the best evidence as to when the same was paid.)

A. I paid it when I got that receipt—that is the day I paid it.

Q. Did you pay this tax within a month preceding the election of November, 5, 1878?

(Counsel for contestant objects to the question for the reason that the witness has already testified that he paid the taxes for which he produced a receipt more than one month before the election of November 5, 1878, and the question is such as shows an attempt on the part of the counsel to mislead the witness and to contradict him by his own testimony, which, since contestee has made Dennis Fitzgibbon his witness, is contrary to all rules governing evidence in either civil or criminal proceedings, under both United States and State laws.)

A. I kept no account of it at all. I met a man on the street on the Saturday night after the pay. I says "Come in, and I'll pay you that

money; you have some State and county tax." As soon as I gave him the money he called me into the Jew's store, and he gave me a receipt.

Q. Was or was not that some time in the month of October last?

(Objected to for the reason that the receipt which has been produced by the witness shows when the taxes were paid, and is the best evidence.)

A. I have told you before as I know about it. I forgot the month.

Q. As near as you can tell, when did you pay that tax?—A. We got paid on Friday and I paid it on Saturday. It is in that receipt.

Q. How often are you paid?—A. Once a month.

Q. What time in the month?—A. Sometimes on the 18th, 20th, and 15th.

Q. What is your occupation, and for whom were you working in the fall of 1878?—A. I dig coal, and I work for the Franklin Company.

Q. Do they not always pay their men always on the Friday or Saturday after the 15th of the month?—A. No, sir; they just pay when they think fit.

Q. Did you pay this tax on the day after pay-day?—A. Yes, sir; on the Saturday following.

Q. Pay-day then was on Friday, and you paid the tax to Dugan on Saturday?—A. Yes, sir; just as I told you before.

Q. Was this tax which you paid to Dugan and called for in this receipt the only State or county tax you paid within two years preceding that election of November 5, 1878?—A. No; I have got another one.

Q. When was that paid?—A. I could not tell you.

Q. To whom did you pay it?—A. To John Malee.

Q. Was that the tax you voted on at the Presidential election of 1876?—A. Yes, sir; I voted for Tilden on that.

Q. Did you pay that tax long enough before the Presidential election to entitle you to vote upon it at that election?—A. Yes, sir; and I have many a one of them. It's not the first, or second, or third, or fourth.

Q. Other than the tax which you paid Malee, which you voted on at the Presidential election for 1876, and the tax you paid Dugan called for in the receipt, did you pay any State or county taxes within two years preceding the election of November 5, 1878?—A. I paid my State and county tax every year. I pay a State and county tax every year.

Q. Who to?—A. To Malee twice.

Q. When?—A. I could not tell you. I could show you in five minutes.

Q. Have you receipts at home for the payment of these State and county taxes?—A. I have some of them, and some I have lost. I can swear to it that some of them I have lost.

Q. How many State or county taxes have you paid to Malee, and how many to Dugan?—A. Two to Malee; one to Dugan.

Q. Have you receipts at home for the two taxes you paid to Malee?—A. Yes; I know there's one. Could not tell you if there is any more—another one.

Q. How long would it take you to go home and get all the State and county tax receipts you have?—A. Twenty minutes.

Q. Will you go home and get those receipts and return and produce them?—A. I will go home and not come back. I refuse to come back. I have plenty of work at home. I have been here since eight o'clock this morning.

Q. Do you have any recollection as to when you paid this tax to Dugan, except that you paid it on a Saturday after a pay-day, which was on Friday?—A. That's all, as I told you before. I paid him on Saturday.

Q. Did you see Dugan write this receipt?—A. Yes, sir.

Q. Where did he write it, and was any person present?—A. He wrote it in Liveright's store; could not tell you who was present; several people were present. I knew only one.

Q. Was or was not that tax paid for you by some other person?—A. No; I paid it myself, with my own hands.

Q. Can you either read or write?—A. Indeed I can't.

Q. Did you get this receipt the day you gave him the money?—A. Yes, sir. I gave him the money, and he gave the receipt same day.

Q. Do you know what date Dugan put in the receipt?—A. There's 1878 on it, they told me.

Q. What month and day are in it?—A. I could not tell you the month.

Q. Will you hand the receipt to the notary to copy?—A. Yes, sir.

“HOUTZDALE, Sep. 19th.

“Rec'd of Dennis Fitzgibbon 76 cents, State and Co. tax for the year 1878.

“PATRICK DUGAN,
“Constable.”

Q. Was not pay-day at the Franklin Colliery during the year 1878 always on the Friday after the 15th day of the month?—A. They pay just when they please themselves.

Cross-examined:

Q. Was not the State and county taxes which you paid to Patrick Dugan and for which the receipt which has been copied by the notary was given you, paid to him in the year 1878?—A. I don't know; that will tell you.

Q. Was it last year you paid Dugan these taxes?—A. Yes, sir.

Q. Was this receipt read to you at the time you paid Dugan your State and county taxes for the year 1878?—A. Yes, sir; when he wrote it he read it to me and said it was all right.

Q. Was not these taxes paid Dugan in time to give you a right to vote at the election of November 5, 1878, at which election Curtin was a candidate for Congress?—A. Yes, the tax was paid.

Q. Was the date which Dugan read you when he read you this receipt the month and the day of the month on which you paid him your State and county taxes?—A. Yes. I could not tell you. I could not read; he read it to me, and said it was all right.

Q. Did you or did you not pay a State or county tax about one year before you paid this tax to Dugan?—A. I did, sir.

Q. To whom did you pay it?—A. To John Malee.

Q. Was or was not this State or county tax which you paid to John Malee, paid him since the election at which Tilden was a candidate for President?—A. No. I didn't vote on that; it was after Tilden's election.

Q. Then, if Tilden was a candidate for President at the election of November 7, 1876, was the last State and county tax you paid to John Malee paid to him after that date?—A. I did not vote on that at all; yes, it was after that time a long time; Dan. McMonagal was constable and collector before that election.

Q. Was your vote challenged at the election of November 5, 1878?—A. My vote was never challenged. I always had it up to the handle.

Re-examined:

Q. Where is your receipt for the taxes you paid John Malee?—A. There is one at home; don't know where the rest is.

Q. Which receipt is at home—the tax you paid Malee first or last?—
A. The very last one of all.

Q. You brought the Dugan receipt with you; now why did you not bring the Malee receipt along?—A. Why, I did not think I had any occasion for to fetch it.

Q. In what year did you last pay John Malee a State or county tax?—A. Indeed, I could not tell you; it's on the tax receipt.

Q. Have you such tax receipt at home?—A. Yes.

Q. About as near as you can tell how long was it before the election of November 5, 1878, when you voted for Curtin, that you paid Pat Dugan your taxes?—A. I could not tell you; this receipt will tell you.

Q. About how long?—A. I can't tell you; this receipt will show you; I can't read.

Q. Was it three months?—A. Can't tell you.

Q. Was it three days?—A. Yes, it was over three days.

Q. Was it three weeks?—A. I don't know.

Q. Was it two weeks?—A. Yes, sir; it was more than two weeks.

Q. Are you sure that it was more than two weeks before the 5th of November, 1878, the election day, that you paid Dugan the taxes?—A. Yes, sir; I am sure I paid it before two weeks before the election day; I'm sure and certain.

Q. Are you not sure, that it was more than three weeks before said election?—A. Yes I am sure I paid it more than three weeks before election day.

Q. Was it four weeks before?—A. I could not tell you.

Q. Can you swear that it was as much as four weeks before said election?—A. I can swear, if you read this—no I could not, but this receipt will tell.

Q. Do you know what date Dugan put on the receipt?—A. I know there is 1878; that is all I know.

Q. How long before an election must taxes be paid, if you know, to give a person a right to vote?—A. I heard it, but I forget it.

Q. What did you hear as to the time?—A. That a State and county tax must be paid so many days before the election.

Q. You say so many days, now how many?—A. Indeed I could not tell you.

Q. Do you know anything about when you paid this tax to Dugan, except that you paid it on a Saturday the day after a pay day of the Franklin Mines?—A. I don't know; that will tell you (showing receipt).

Q. Can you swear that Dugan put in that receipt the date on which you paid him?—A. I can swear that nobody else wrote any on it.

Q. Don't you know that you paid Dugan that tax on Saturday October 19, 1878, that that he dated it back to September 19, 1878?—A. I know that I paid him the tax on Saturday, and I know that there was nobody else ever left a pen on that.

Q. Don't you know that you paid Dugan on Saturday, October 19, 1878?—A. I know I paid it on Saturday, and I put that receipt in my pocket; I don't know nothing about, but I paid him on Saturday; I don't know what day or month it was.

Q. Your receipt is dated September 19. Do you swear that you paid it on that day?—A. I can swear that I paid it on Saturday, but I do not know what month.

Q. What season did you pay it in, spring, summer, fall, or winter?—A. I couldn't tell you that, but the evenings were getting short.

Q. Your receipt is dated September 19, while September 19, 1878, was Thursday, and you swear you paid it on Saturday; now can you swear

you paid the money on September 19?—A. Yes, I paid it on Saturday; I could not tell either the day or the month.

Q. If September 19 comes on Thursday, and October 19 comes on Saturday, do you not think that it was October 19 that you paid Dugan?—A. I don't know, whether it was October or nothing, but it was Saturday I paid the money.

Q. Have you any means at home or elsewhere, of ascertaining what day of the month was pay day at Franklin Colliery, in September and October, of 1878?—A. No, sir.

Q. How long since you were naturalized?—A. It was ten or eleven years.

Q. How often have you voted in Houtzdale Borough?—A. About five years.

Recross-examined:

Q. When you were subpoenaed to come here to testify were you subpoenaed to bring your tax receipts with you?—A. No, sir.

Q. Were you a citizen of the United States for more than one month before the election of November 5, 1878, at which A. G. Curtin was a candidate for Congress?—A. Yes, sir.

Q. Did you reside in Pennsylvania for one year immediately preceding said election?—A. Yes, sir.

Q. Did you reside in Houtzdale Borough for more than two months before said election?—A. Yes, sir.

And further saith not.

his
DENNIS + FITZGIBBON.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

5.50 o'clock p. m. same day adjourned to 6.30 p. m. same day.

7.25 o'clock p. m. same day examination resumed.

DANIEL SOULT sworn.

Question. Where do you reside?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Did you yourself pay a State or county tax within two years preceeding the election of November 5, 1878?—A. No, sir.

Q. Was any tax receipt given to you on the day of the election?—A. Yes, sir.

Q. By whom?—A. Between Patterson and Frank Bulger. I don't recollect which one.

Q. Do you mean W. H. Patterson, an attorney of Houtzdale Borough?—A. Yes, sir.

Q. Do you know anything about the payment of those taxes, except that they handed you the receipt?—A. No, sir; I do not.

Q. Do you know whether your taxes called for in this receipt have been paid by any one?—A. No, sir; I don't.

Q. Did you ever authorize or request any person to pay them for you?—A. No, sir.

Q. Have you the receipt that Patterson and Bulger gave you on the day of the election?—A. Yes, sir.

Q. Have you any objection to putting it in evidence and attaching it to the testimony now being taken?—A. I have no use for it, and permit it to go on the evidence.

Q. (Exhibit hereto attached, marked A, shown witness.) Is this the receipt given you by Patterson and Bulger?—A. Yes, sir.

The receipt reads as follows:

“HOUTZDALE, *Sep. 3rd*, 1878.

Rec'd of Danl. Sault 50 cents State and county tax in full for 1878.

“PAT. DUGAN, *Collector.*”

Q. Was or was not this tax, if paid at all, paid on the day of or within a day or two of the election of November 5, 1878?

(Objected to unless the witness can answer of his own knowledge and without depending on what others told him as it would be hearsay.)

A. I don't know.

Q. Do you know anything about when that tax was paid?—A. No, sir.

Q. How old are you?—A. I was born in 1855, the 30th day of October.

Q. Have you ever yourself paid any State or county tax?—A. No, sir.

Q. Do you know of any State or county tax ever having been paid for you other than the one called for in the receipt which you have produced?—A. No, sir; I don't.

Cross-examined:

Q. Was your vote challenged at the election of November 5, 1878?—

A. Nothing more than they wanted to know whether I was a citizen.

Q. Did you read your ticket which you voted at the election of November 5, 1878?—A. Yes, sir.

Q. Do you confirm payment of your State and county taxes for the year 1878 which were made for you?—A. I did not deny it; it was all right.

Q. When you received your receipt did you not say the payment was all right?—A. I did not say anything at all.

Q. Did you make any objections?—A. I made no objections to taking the receipt.

Q. Then you were satisfied, were you not, that your taxes had been paid for you?—A. I could not say whether they had been paid or not.

Q. When you received your receipt which was evidence that your taxes had been paid, did you not by taking the receipt affirm that payment had been made?—A. I don't know how to answer that.

Q. If somebody else paid the tax for you had you any objection to the payment so made?—A. No, sir.

Re-examined:

Q. Where were you when Patterson and Bulger gave you this receipt?—A. Down in the bank near the station at Houtzdale Borough.

Q. Was not Patterson's office in the bank building?—A. Yes, sir.

Q. Were you not in Patterson's office when the receipt was given you, or where were you?—A. I was in Patterson's office.

Q. Who asked you to go into Patterson's office?—A. Nobody.

Q. Before they gave you the ticket did they or not ask you how you intended to vote?

(Counsel for contestant objects to this question for the reason that it is assumed by the question that witness received a ticket and the ticket which he voted from the party who gave him the receipt, whilst witness has not so sworn, and the question is so framed as to mislead the witness and is leading.)

Question withdrawn.)

Q. I meant to ask you whether or not they asked you how you intended to vote before giving you the receipt?—A. I believe they did.

Q. Did you tell them that you intended to vote for Curtin, and did they then give you the receipt?—A. I hardly mind about that. I most forget how that was.

Q. Had you intended to try to vote on that day before you got this receipt?—A. No, sir.

Q. Why?—A. Because I had no receipt.

Q. Was it not because your taxes were not paid?—A. Yes, sir; that's the reason.

Q. Had you been to see the collector about the taxes?—A. Yes, sir.

Q. How long before the said election of November 5, 1878?—A. About two weeks.

Q. Had they been paid then?—A. No, sir.

And further saith not.

DANIEL SOULT.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

W. C. LANGSFORD sworn.

Question. Where and when were you born?—Answer. In England, on January 24, 1850.

Q. Are you naturalized, and if so, when did you get your certificate of naturalization?—A. I am; I got my certificate about the year 1877. I believe it was 1875; I am not certain.

Q. Are you married?—A. Yes.

Q. Did you reside in the borough of Houtzdale, Clearfield County, Pennsylvania, for more than one whole year immediately preceding the election of November 5, 1878?—A. Yes; I resided there during that time with my wife.

Q. Did you vote at the election in Houtzdale Borough, on November 5, 1878?—A. I did.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election?—A. I did.

Cross-examined:

Q. When you offered to vote at the election of November 5, 1878, was your vote challenged?—A. I don't think it was.

Q. Were you required to make any proofs before voting?—A. Not more than my papers and tax receipts, which they were satisfied to take.

Re-examined:

Q. Were all the members of the election-board acquainted with you, if you know, and did they also know of your residence in the borough of Houtzdale for the required length of time?—A. I believe so.

And further saith not.

W. C. LANGSFORD.

Attest.

[SEAL.]

W. N. PROTHERO,

Notary Public.

9.40 o'clock p. m., March 17, 1879, adjourned until 8 o'clock a. m. March 18, 1879.

8 o'clock a. m., March 18, 1879, examination resumed.

E. J. CHAFFEE sworn.

Question. When and where were you born?—Answer. In Bradford County, Pennsylvania, March 9, 1844.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878, that was assessed more than two months and paid more than one month before said election?—A. Yes, sir; my tax was all paid up that was due each year.

Q. Did you vote at said election, and for whom did you vote for Congress?—A. Yes, sir; and for Mr. Yocum.

Cross-examined:

Q. How long before you voted on November 5, 1878, did you read your ticket?—A. Probably two or three minutes.

Q. Did you pay these State and county taxes yourself?—A. Yes, sir; have receipts down at the store.

And further saith not.

E. J. CHAFFEE.

Attest.

[SEAL.]

W. N. PROTHERO,
Notary Public.

PHILIP HARTMAN sworn.

Question. When and where were you born?—Answer. I was born in Prussia, October 2, 1839.

Q. When did you come to this country?—A. I was about six months old when I left Prussia.

Q. Where do you reside?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Did you vote in Woodward Township at the election of November 5, 1878, and for whom did you vote for Congress?—A. I did; and I voted for Andrew G. Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. To whom and when?—A. To Thomas Henderson, Dugan, and John Malee.

Q. Have you any receipts, and will you produce them?—A. Yes, sir.

Q. Did you pay this tax to Thomas Henderson on August 24, 1878, the day the receipt bears date?—A. Yes, sir; I did.

Q. Were you ever naturalized?—A. No, sir; I always voted on father's papers and tax receipts.

Q. When was your father naturalized and where?—A. To the best of my opinion, he has been naturalized twenty-five or thirty years; maybe over that; at Ebensburgh, Cambria County, Pennsylvania.

Q. Is your father still living, and where does he reside?—A. Yes, sir; in Woodward Township, Clearfield County, Pennsylvania.

Q. Was or was not your father naturalized some time during the war of the rebellion?—A. No, sir; long before it.

Cross-examined:

Q. Your father was naturalized, was he not, before you became of age?—A. Yes, sir; I don't think I was ten years old when he was naturalized.

Q. Did you reside in the State of Pennsylvania for more than one year before the election of November 5, 1878?—A. Yes, sir; I have never put a foot in any other State.

Q. Did you reside in Woodward Township, Clearfield County, Pennsylvania, for at least two months preceding said election?—A. Yes, sir; I have been there since December 16, 1875.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878, which had been assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Have you any receipts for the payment of said taxes with you?—Yes, sir.

Q. Will you read them?

“Rec’d Houtzdale, Aug. 18th, 1877, of Philip Hartman, one dollar $\frac{31}{100}$, State and county tax for 1877.

“JOHN MALEE, *Collector.*”

Also another receipt, as follows:

“CLEARFIELD, PA., Aug. 24th, 1878.

“Rec’d of Philip Hartman the sum of $\frac{47}{100}$ dollars, being county and State tax for the year 1878, on his property situated and assessed in Woodward Township.

“\$00 $\frac{47}{100}$.

THOMAS HENDERSON, *Collector.*”

Another receipt, as follows:

“HOUTZDALE, Sept. 13.

Rec’d of Philip Hartman \$1.31, State and county tax for the year 1878.

“PATRICK DUGAN, *Collector.*”

Q. Was the receipt which was given you by Patrick Dugan for the payment of \$1.31, State and county tax for the year 1878, and which is dated September 13, paid on September 13, 1878?—A. Yes, sir; it was paid on September 13, 1878.

And further saith not.

P. HARTMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JEREMIAH O’NEIL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Did you vote in Woodward Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andrew G. Curtin.

Q. Did you pay a State or county tax yourself to a collector within two years preceding said election?—A. Yes, sir.

Q. To whom and when?—To Thomas Henderson, the 18th October, 1878.

Q. Did you pay any other State or county tax within said two years to a collector?—A. I paid, but I didn’t pay it to a collector. I left it at Andy Gleason’s.

Q. Do you know of your own knowledge whether he ever paid the tax?—A. I do not. When I went to the poll to vote they called out “It is a vote.” I don’t know who called out, but they took my vote.

Q. Was Gleason a collector of taxes?—A. No, sir.

Q. Who did you pay him the money for?—A. For Higgins, the collector.

Q. Did you tell Gleason to pay Higgins the money you left him?—A. I told him "I will leave this money here for Higgins."

Q. Was that all you told him?—A. That was all.

Q. Don't you know that Higgins never got that money?—A. No, sir; I don't.

Q. Do you know anything about whether he did or not?—A. No, sir; I don't.

Q. Can you swear that he did?—A. No, sir; I could not swear.

Q. Have you any receipts for the taxes you paid to Henderson on October 18, 1878, and the money you paid to Gleason?—A. I have receipt for the money I paid to Henderson. I have not got any for that I paid to Gleason.

Q. Where is the Henderson receipt?—A. I left it at home.

Q. When did you pay the money to Gleason?—A. It was in 1877. I could not tell the month or date.

Cross-examined:

Q. The money you left with Gleason in 1877 to pay to Higgins, the collector, for your State and county taxes, was left there in compliance with a promise made to Higgins, was it not?—A. I did not tell him I would leave the money there. Another party and I was talking about paying our taxes; we did not know when to pay them. The party I was with said that Higgins would get it at Gleason's store if we left it there.

Q. Has Higgins, the collector, ever called on you to pay that State and county tax for which you left that money at Gleason's?—A. No, sir.

Q. When you gave that money to Gleason, did he not say he would give it to Higgins for you?—A. He said it would be all right.

Q. Was this tax left with Gleason before the November election of 1877?—A. I could not say.

Q. Was Higgins present when you voted?—A. I could not tell you; I was outside the window and they were in.

Q. Are you positive the tax you paid to Thomas Henderson on October 18, 1878—might it not have been September 18, 1878?—A. No, sir; it was October 18.

Q. Was your vote challenged?—A. No, sir.

Re-examined:

Q. How much money did you leave with Gleason for Higgins?—A. Fifty cents.

Q. Did you ever get the money back from Gleason?—A. No, sir.

Recross-examined:

Q. Did Gleason ever tell you he had paid Higgins the money you left with him to pay your State and county taxes?

(Objected to because it is hearsay.)

A. No, sir.

Q. Did you reside in Woodward Township, Clearfield County, Pennsylvania, at least two months immediately preceding the election of November 5, 1878?—A. Yes, sir; for nearly four years.

Q. Did you reside in the State of Pennsylvania for at least one year immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Were you a citizen of the United States for at least one month immediately preceding said election?—A. Yes, sir.

Re-examined:

Q. Was not the money that you paid to Gleason paid in 1876 and not in 1877, and was it not for the payment of the tax upon which you voted at the Presidential election?—A. I paid it in 1877.

Q. Did you pay to Gleason but once?—A. Only once.

Q. For what year's tax did you intend that money to pay?—A. For the year 1877.

Q. When did you pay your 1876 tax?—A. I could not tell you when.

Q. Was it in the year 1876?—A. I suppose, to the best of my knowledge, it was.

Q. Who did you pay that tax to?—A. I could not tell you who the man was.

Q. Since testifying about the payment of the money to Gleason to pay to Collector Higgins, have you examined into the matter and made inquiry as to the year you paid it; and, if so, what was it, and have you any correction to make in your testimony?—A. Yes, I have examined into it, and I find I was mistaken in paying my tax in 1877. I inquired about it, and found out that I paid it in 1876.

Q. Then you paid that money to Gleason in 1876 instead of 1877?—A. Yes, sir.

Q. Was or was it not to pay your taxes for the year 1876?—A. It was.

Q. Was or was it not paid long enough before the general election of that year to entitle you to vote on it?—A. I voted on it.

Q. Was it not paid as much as a month before the Presidential election of November, 1876?—A. I could not say, but I voted on it.

Q. Did you then pay any State or county tax within two years preceding the election of November 5, 1878, except the tax you paid Henderson October 18, 1878?—A. Not to my knowledge—1878 and 1876.

Q. Did you not pay the tax of 1876 prior to November 4, 1876?—A. I did; to my knowledge, I did before.

Q. You paid it long enough before the Presidential election, did you, to entitle you to vote at said election?

(Counsel for contestant objects to this question, for the reason that it assumes that the witness has sworn that he paid said taxes long enough before the Presidential election of 1876 to entitle him to a vote at said election, whilst witness has not so testified, but has testified that he has no knowledge of when said taxes were paid the collector by Gleason, with whom the money was left to pay the same. The question is so framed as to mislead the witness, and is leading.)

A. I suppose I did; I voted on it.

Cross-examined:

Q. To whom did you pay your State and county tax for the year 1877?—A. I don't know; I don't think I paid it.

Q. Did you not pay it to the county treasurer when he was in Woodward Township collecting taxes?—A. No, sir.

Q. How long would it take you to bring a receipt you received from Henderson here?—A. An hour and a half.

Q. Your right to vote was not questioned, was it, at the election of November 5, 1878?—A. No, sir.

And further saith not.

Attest:
[SEAL.]

JEREMIAH O'NEILL.

W. N. PROTHERO,
Notary Public.

PAT. MULCAHY affirmed.

Question. Where do you reside?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. When and where were you born?—A. In Ireland; I am twenty-five years old now.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For A. G. Curtin.

Q. Was any tax receipt given you on the day of election?—A. Yes, sir.

Q. By whom?—A. The constable, Pat. Dugan.

Q. Did you pay him the taxes called for in that receipt?—A. No, sir.

Q. When did you last pay any State or county taxes?—A. In 1876.

Q. Was that the tax you voted upon at the Presidential election of that year?—A. Yes, sir.

Q. Was it paid long enough before said election to entitle you to vote?—A. Six weeks previous to that election.

Q. Did you pay any State or county tax, or was any such tax paid for you, between the time you paid your 1876 tax, which was six weeks before the election of that year, and the general election of 1878?—A. I did not pay any tax, and I don't know whether there was any paid for me.

Q. By whom was the tax paid called for in the receipt which Dugan gave you on the day of the general election of November, 1878, if you know?—A. Well, the receipt stated that I paid the tax, but I did not pay it.

Q. Do you know who paid it?—A. No, sir.

Q. Did you tell any one to pay it for you?—A. No, sir.

Q. Where were you when Dugan gave you the receipt?—A. On the main street in Houtzdale Borough.

Q. Had you intended to vote on that day until after this receipt was given you?—A. No, sir.

Q. Why not?—A. Well, I had no tax receipt.

Q. Was it because you had no right to vote on account of non-payment of taxes?—A. Yes, sir.

Q. Have you with you the receipt which Dugan gave you?—A. No; I have got it in the house.

Cross examined :

Q. How long will it take you to get that receipt and bring it here?—A. About half an hour.

Q. Was your vote challenged at the election of November 5, 1878?—A. Yes, sir.

Q. Did you read the ticket you voted at said election?—A. Yes, sir.

Q. When the receipt was handed you by Dugan did you object to receiving it from him?—A. No, sir.

Q. Then you affirmed and approved of the payment of your taxes which had been made for you?—A. I didn't see anybody paying it. I took the receipt and voted on it.

And further saith not.

PATK MULCAHY.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

11.45 o'clock a. m., March 18, 1879, adjourned till 12.30 p. m. same day.

1.15 p. m. same day examination resumed.

H. J. VAN DUSEN sworn.

Question. When and where were you born?—Answer. I was born in Pottsville, Pennsylvania, on the 4th of December, 1850.

Q. Where do you reside?—A. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Did you reside in Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months preceding said election?—A. I did.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months and paid more than one month before said election?—A. I did not just pay them myself, but I had them paid for me.

Q. To whom were they paid?—A. To Treasurer McGaughey, of Clearfield, Pennsylvania.

Q. Have you got your tax receipt with you and will you read it?—A. Yes, sir.

“TREASURER’S OFFICE,
“Clearfield, Pa., July 22nd, 1878.

“Rec’d of J. H. Van Dusan, the sum of $\frac{76}{100}$ dollars, being county and State taxes for the year 1878, on his property situated and assessed Houtzdale Boro’.

$\frac{76}{100}$.

“D. McGAUGHEY,
Treasurer.”

Q. Are you married?—A. No, sir.

Q. Did you vote at the election of November 5, 1878, and for whom did you vote at said election for Congress?—A. I did; and I voted for Seth H. Yocum.

Cross-examined:

Q. Where was your father born?—A. He was born in this country. I think in Massachusetts.

Q. Who paid your taxes for you?—A. Ashbury Chase.

Q. Then you, yourself, have not paid a State or county tax within two years immediately preceding the election of November 5, 1878?—A. Yes, sir; I myself. It came off my wages.

Q. Was your vote challenged?—A. No, sir.

Q. Did you reside more than one year preceding said election in the State of Pennsylvania?—A. Yes, sir; I did.

Q. Did you read your ticket which you voted at the election of November 5, 1878?—A. Yes, sir.

Q. Did you read the whole ticket?—A. Yes, sir.

And further saith not.

H. J. VAN DUSEN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

MILTON HAMPTON sworn.

On account of insufficient notice to counsel for contestant witness withdrawn.

JOHN VOGEL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Did you vote in Woodward Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I voted for Curtin.

Q. Did you pay a State or county tax within two years preceding said election of November 5, 1878?—A. Yes.

Q. To whom did you pay such taxes?—A. I paid to Mr. Higgins, and this year I gave it to Van Dusen, and told him to give it to the tax collector. I do not know him.

Q. What tax-collector did you tell Van Dusen to pay it to?—A. If I be right, I guess Henderson was his name.

Q. When was that tax paid to Henderson?—A. I don't know exactly any more.

Q. Was or was it not on the 7th or 8th of October, 1878?—A. I don't know any more.

Q. Have you any paper by which to tell when this tax was paid?—A. I gave it to you or I left it lay on the table.

Q. Was it paid within a month preceding the election of November 5, 1878?—A. O, yes; O, yes. I guess he did not pay the money over at the time.

Q. When did you pay the money for tax to Higgins?—A. I don't mind any more.

Q. Did you vote at the general election of 1876?—A. Yes.

Q. Was or was it not before that election that you paid this tax to Higgins?—A. I think, if I be right, I paid to Higgins for three years.

Q. How long ago is it since you paid the last tax to Higgins?—A. I guess it was last at election time; about the time taxes ought to be paid.

Q. Do you say you paid a State and county tax in 1878 to Higgins and also to Henderson in the same year?—A. Yes.

Q. Where were you born?—A. In Germany.

Q. Are you naturalized?—A. Yes, sir.

Cross-examined:

Q. Have you lived in Pennsylvania for more than one year immediately preceding the election of November 5, 1878?—A. I lived in this State twenty-two years.

Q. Did you reside in Woodward Township for more than two months before said election?—A. Yes.

Q. Were you a citizen of the United States for more than one month before said election?—A. Yes.

Q. Did you pay Higgins a State or county tax since the Presidential election of 1876 at which Tilden was a candidate for President?—A. I think I did.

Q. Did you not pay Higgins a State or county tax last summer?—A. Yes, I did.

Q. Did you not also pay Higgins a State or county tax last summer a year ago?—A. I think I did.

Q. Now, were these taxes which you paid to Higgins, the collector, paid to him more than one month before the election of November 5, 1878, at which Curtin was a candidate for Congress?—A. I think so.

Q. What was the politics of Van Dusen, to whom you gave the money to pay your taxes to Henderson last fall; was he a Republican or a Democrat?—A. I think he is a Republican; I don't know.

And further saith not.

JOHANN VOGEL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

GEORGE F. WALTERS affirmed.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. When were you born?—A. June 29, 1855.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Q. Did you pay a State or county tax within two years preceding said election?—A. I have a receipt when I paid it.

Q. Did you pay that tax on the date called for in that receipt?—A. Yes, sir; I did.

Q. When did you pay it, and to whom?—A. On the 9th of October, 1878, to Thomas Henderson.

Q. Will you read the receipt?

“Oct. 9, 1878. Rec'd of George Walters one dollar and nineteen cents, being his State and county tax for 1878.

\$1.19.

“THOMAS HENDERSON,
“Collector.”

Q. Was the tax you paid to Henderson on October 9, 1878, the only State or county tax you only paid?—A. Yes, sir.

Cross-examined:

Q. Did you read your ticket that you voted on November 5 1878?—A. Yes, sir; I did.

Q. Did you not pay other taxes than that you paid Henderson within the last two years?—A. Yes, sir; I have paid other taxes.

Q. To whom?—A. To John K. Henderson.

Q. Were these the only other taxes you paid?—A. No, sir; I paid my road taxes to John K. Henderson. My poor tax, I didn't pay them myself. My brother-in-law, he paid them. My poor tax and school tax also was paid to Chase.

Q. When did you pay your State and county tax for 1877?—A. Did not pay any; did not vote.

Q. Was Thomas Henderson, to whom you paid the taxes for which the receipt you read was given you, collector of State and county taxes for the year 1878 for Woodward Township, Clearfield County, Pennsylvania?—A. As far as anything I know, he was.

Q. Have you resided in Pennsylvania for one year preceding said election?—A. Yes, sir.

Q. Did you reside in Woodward Township for more than two months immediately preceding said election?—A. Yes, sir.

Q. Was your vote challenged at the election of November 5, 1878?—A. No, sir.

Q. Were you required to produce your tax receipt?—A. Yes, sir.

Q. After you produced your tax receipt was your vote received?—A. I didn't produce it. I meant in answer to the preceding question to say no, instead of yes, sir.

And further saith not.

GEOR. F. WALTERS.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN COLMER, Sr., sworn.

Question. Where do you reside?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. How old are you?—A. Could not exactly say ; am about sixty-four years.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878?—A. Yes ; I did.

Q. For whom did you vote at said election for Congress?—A. I voted for Andy Curtin.

Q. Did you pay a State or county tax within two years preceding said election ; and, if so, to whom?—A. Yes ; I paid it to Pat Dugan.

Q. Was that the only State or county tax you paid within said two years?—A. Yes, sir.

Q. Did you get that receipt when you paid Dugan the money?—A. I got the receipt and I paid him after. He gave me the receipt and I met him after and paid him.

Q. Did Dugan put in that the date upon which you paid him the money?—A. I don't know whether he did or not.

Q. Do you know whether or not Dugan dated back that receipt?—A. I do not know, indeed.

Q. Did you or not pay that tax to Dugan in money within one month before the election?—A. I paid it in money to him, but I did not take the date before or after.

Q. Don't you know that you paid Dugan in the month of October, 1878?—A. I don't know whether it was in the month of October or not ; I paid him. I did not take the date.

Q. Did you or not get the money with which to pay Dugan this tax from your son who works in the Franklin colliery?—A. No, sir ; I did not ; I always have money of my own.

Q. How long was it after Dugan gave you this receipt till you paid him the money?—A. I could not exactly say.

Q. Was it as much as two weeks?—A. I don't exactly say whether it was.

Q. To the best of your knowledge was it as much as two weeks?—A. Well, it might be two weeks to the best of my knowledge.

Q. Do you think it was as much as a month?—A. I don't know, indeed, sir.

Q. Give us the best of your recollection on the subject.—A. I have just told you I cannot bring myself to a recollection of it.

Q. Might it have been a month?—A. I can't say, indeed, sir.

Q. Did Dugan say anything to you when he gave you this receipt about his having dated it back in order to entitle you to a vote?—A. No, sir ; he did not.

Q. Did you say anything to him about that?—A. No, sir.

Q. Don't you know that you paid this tax after the time was up within which to pay taxes to vote on?—A. I know, sir.

Q. You paid it, then, did you, after the time was up for paying taxes to vote on?—A. Yes, sir.

Q. If this receipt is dated before the time was up to pay taxes to vote on, was it not dated back of the time you paid it?—A. I suppose this receipt will answer that.

Q. Will you hand the receipt which you have in your hand to the

notary to be copied into the testimony?—A. Yes, I will. (It reads as follows:)

“HOUTZDALE, *Sep. 19th.*

“Rec'd of John Coleman, fifty cents, State and Co. tax for the year 1878.

“PAT DUGAN, *Constable.*”

Q. Is this the receipt Dugan gave you?—A. Yes, sir.

Q. Do you know how long before the election taxes must be paid in order to vote?—A. I don't know whether it is thirty days or not.

Q. Has it not been your opinion that thirty days is the time?

(Counsel for contestant objects to this question as well as to preceding question for the reason that the constitution and laws of Pennsylvania are the best evidence as to when a man shall pay his State and county taxes in order to entitle him to a vote at any general election in said State; the evidence of the witness is therefore not the best evidence and is hearsay.)

A. I hear the people saying that, but that is all I can tell about it.

Q. You have stated that you had paid this tax after the time was up for paying tax; did you or not mean that you paid them within thirty days before the election?

(Counsel for contestant objects to the question because it is leading, and is so framed as to put in the mouth of the witness the answer desired by counsel for S. H. Yocum.)

A. I did not mean that.

Q. Did you intend to vote at the November election until Pat Dugan gave you this receipt?—A. I was not thinking about it at the time.

Q. Had you not before getting this receipt concluded you would not try to vote because your taxes were not paid?

(Counsel for A. G. Curtin, the contestant, objects to this question for the reason that it is so framed as to mislead the witness and to obtain the answer from him desired by counsel for Seth H. Yocum, and is therefore an improper question and leading and unfair to the witness.)

A. I had not made up my mind as to that effect.

Q. If Pat Dugan dated that receipt back, was it not against your wishes and without your knowledge?—A. I did not want him to date back.

Q. Do you know how long you paid this to Dugan after the time was up to pay taxes to vote on?—A. I do not know, sir.

Q. Do you think it was as much as two weeks after the time was up?—A. I think I answered that question before.

Q. Did any one tell you before the election when the time was up for paying taxes?—A. No, sir.

Cross-examined:

Q. In the receipt given you by Dugan the year has been omitted in the date. Now, were these State and county taxes paid him in the year 1878?—A. Yes, sir.

Q. Do you think he gave you this receipt a month before the election of November 5, 1878, at which Curtin was a candidate for Congress?—A. I thought so, sir, or I would not vote.

Q. Were you a citizen of the United States for more than one month immediately preceding the election of November 5, 1878, and have you your papers with you?—A. I guess these will answer that question. (Witness produces certificate of naturalization dated 20th of October, 1873, from the circuit court of Maryland, bearing the seal of said court.)

Q. Did you reside in Houtzdale Borough, Clearfield County, Penn-

sylvania, for more than one year immediately preceding said election?—

A. Yes, sir.

And further saith not.

JOHN COLMER.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

5.35 p. m., March 18, 1879, adjourned until 7.20 p. m. same day.

7.20 p. m. same day, examination resumed.

JOHN COLEMAN, JR., sworn.

Question. Where do you reside?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania.

Q. How old are you?—A. I am between 33 and 34 years old, as near as I can tell.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin, straight out Democratic ticket.

Q. Did you pay a State or county tax within two years preceding said election?—A. Yes, sir.

Q. To whom did you pay it?—A. To Patrick Dugan.

Q. Was the tax you paid to Dugan the only State or county tax you paid within those two years?—A. I paid to John Malee; I paid State and county tax twice since I came here; that is all.

Q. When did you pay tax to John Malee?—A. I believe, as close as I can calculate, it was the year before this, the year 1878.

Q. Did you vote at the Presidential election of 1876?—A. No, sir; I was not long enough in this place.

Q. What year's tax did you pay to John Malee?—A. I believe it must of been for 1877.

Q. Have you a receipt for the tax you paid to Malee?—A. Yes, sir; I am mistaken. I have reference to Dugan's receipt; I tore up the Malee receipt.

Q. Are you sure the tax you paid to Malee was State and county, or might it not be some other kind of tax?—A. No, sir; it was State and county.

Q. As near as you can tell, what time in the year was it you paid Malee?—A. It was in the month of September; the date I cannot tell.

Q. How much did you pay him?—A. I don't remember, sir. It is so long back now.

Q. Did you get a receipt from Dugan the same time you gave him the money?—A. Yes, sir; as soon as he had the receipt written out, I had the money on the counter.

Q. Do you know whether or not the date put in that receipt was the day on which you paid him the money, and can you swear when you did pay him?—A. No, sir; I didn't remember. I didn't pay any attention to the day I received it from him.

Q. Do you know how long it was before the election you paid Dugan the money?—A. No, sir.

Q. Was it paid as much as a month before?—A. Well, I can't tell you, sir; I expected he would be in time, as he knew the money was ready for him when he came.

Q. How long was it after you paid Malee that you paid Dugan?—

A. Well, I believe it would be coming up to twelve months, as they come around every year.

Q. Did you not misunderstand the question when you answered before that you paid Malee in 1878 ?—A. I could not exactly say ; I tore up the receipt when I got the new one from Dugan. I say again that I got this receipt from Malee ; then this year I got one from Dugan.

Q. Did you pay both those taxes in the same year ?—A. No, sir.

Cross-examined :

Q. Were you a citizen of the United States for at least one month before the election of November 5, 1878 ?—A. Yes, sir.

Q. Did you reside in Houtzdale, Clearfield County, Pennsylvania, for at least one year immediately preceding said election ?—A. Yes, sir.

Q. Had you paid a State or county tax within two years immediately preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election ?—A. Yes, I did.

Q. Have you a receipt for the payment of any such taxes, and will you hand it to the notary to copy ?—A. Yes, sir.

“HOUTZDALE, *Sep. 27th.*

“Received of John Coleman 2.94 cents, State and county tax for the year 1878.

“PATRICK DUGAN, *Constable.*

Q. In this receipt just copied the year is omitted in the date ; was not this tax paid to Dugan in 1878 ?—A. Yes, sir.

Q. Was the State and county tax which you paid John Malee paid him the year before, or some months before, this tax you paid Dugan ?—A. I guess it would be coming up in twelve months.

Re-examined :

Q. Do you know whether or not Dugan dated that tax receipt back of the time you paid him the money ?—A. I do not, sir ; didn't pay any attention.

And further saith not.

JOHN COLEMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

ROBERT R. FLEMING sworn.

Question. Where and when were you born ?—Answer. In Curwinsville, Clearfield County, Pennsylvania, September 27, 1843.

Q. Are you married ?—A. Yes, sir.

Q. Did you and your family reside in the State of Pennsylvania for more than one whole year preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months immediately preceding said election ?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before the same ?—A. Yes, sir.

Q. Did you vote at the said election of November 5, 1878, and for whom did you vote for Congress ?—A. I did ; I voted for Seth H. Yocum for Congress.

And further saith not.

ROBT. R. FLEMING.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WM. WATCHMAN sworn.

Question. Where and when were you born?—Answer. I was born in Scotland; I was born fifty-two years ago last January, about the year 1827.

Q. Are you naturalized?—A. Yes, sir.

Q. How long have you been a naturalized citizen?—A. I think it's about eight years ago.

Q. Have you a wife and family?—A. Yes, sir.

Q. Have you and they resided in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior to said election?—A. Yes, sir.

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. I did. I voted for Yocum.

Cross-examined:

Q. How long have you resided and voted in Houtzdale Borough?—A. It's going on five years.

Q. Did the board holding the election of November 5, 1878, require you to produce your certificate of citizenship?—A. No, sir.

Re-examined:

Q. Were you personally known by all the members of the election board, and did they know that you had your papers without producing them?—A. They all knew me, and I should think they all knew I had my papers.

Q. When did you come to Houtzdale?—A. I came four years last October.

And further saith not.

WM. WATCHMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

THOMAS WATCHMAN sworn.

Question. Where and when were you born?—Answer. In Tioga County, Pennsylvania. I will be twenty-nine years old the 11th day of next June.

Q. Are you married?—A. No, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months immediately preceding the same?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. I did vote; and I voted for Yocum.

Cross-examined:

Q. Are you a son of Wm. Watchman that has just been examined?—A. Yes, sir.

Q. Have you ever been naturalized?—A. No, sir. I had a vote before my father had.

Q. You mean you had a vote before your father was naturalized?—A. Yes, sir.

And further saith not.

Attest.

[SEAL.]

THOS. WATCHMAN.

W. N. PROTHERO,
Notary Public.

March 18, 1879, at 9.30 p. m., adjourned until 8 o'clock a. m., March 19, 1879.

March 19, 1879, at 8.30 o'clock a. m. examination resumed.

ALEXANDER THOMPSON sworn.

Question. Where and when were you born?—Answer. I was born in Scotland. I am twenty-eight years old on the 17th day of last January.

Q. Are you naturalized, and if so, when were you?—A. I am naturalized. I got my naturalization papers about four years ago.

Q. Are you married?—A. Yes, sir.

Q. Where do you reside?—A. Borough of Houtzdale, Clearfield County, Pennsylvania.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months before said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. Did you vote at said election of November 5, 1878, and for whom did you vote for Congress?—A. I voted at said election, and voted for Seth H. Yocum.

Cross-examined:

Q. When you voted at the election of November 5, 1878, were you required by the election board to produce your certificate of citizenship before voting?

(Objected to as not cross-examination.)

A. No, sir; they knowed I was a citizen before.

Re-examined:

Q. For how many years have you voted continuously in Houtzdale Borough at general elections?—A. I think the first vote I polled was for Hayes.

And further saith not.

ALEX. THOMPSON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WILLIAM S. EDWARD produced and sworn.

Question. Where and when were you born?—Answer. In South Wales, in 1828.

Q. Are you naturalized?—A. Yes, sir.

Q. When were you naturalized, and what is the date of your papers?—A. I was naturalized in 1868. My papers are dated on September 21, 1868.

Q. Have you your papers with you, and will you produce them for inspection?—A. Yes, sir. (Witness produces certificate for inspection.)

Q. Where do you reside?—A. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election of November 5, 1878, that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. Did you vote in Houtzdale Borough at said election, and for whom did you vote for Congress?—A. I voted there and voted for Yocum.

Cross-examined:

Q. Will you produce your certificate of citizenship for the notary to copy?—A. Yes, sir; here it is. It reads as follows:

“UNITED STATES OF AMERICA,

“*Commonwealth of Pennsylvania, City of Scranton, ss:*

“In the mayor’s court for the city of Scranton, for September term, anno Domini one thousand eight hundred and sixty-eight.

“William S. Edward, an alien and a native of Wales, having complied with all the acts of Congress respecting the naturalization of aliens, was sworn and admitted a citizen of the United States and of said commonwealth.

“In testimony whereof I have hereunto set my hand and affixed the seal of said mayor’s court, at Scranton, this 21st day of September, A. D. 1868.

[SEAL.]

“D. RANKIN, *Clerk*,
“Pr. CHAS. H. WELLIS.”

[5-cent internal revenue stamp canceled.]

Q. Are there any indorsements upon the back of this certificate, which has just been copied?—A. Yes, sir. The following appears:

“Voted October 12, 1869”.

Q. Is this the only indorsement on the back of the same?—A. That is all I can see there.

Q. When and to whom did you pay the State and county taxes which you say you paid within two years preceding the election of November 5, 1878?—A. October 4, 1878, to Patrick Dugan.

Q. Look at the receipt and see whether the year is omitted in the date of the same.—A. The year is not in the date.

Q. Is this the only State or county tax you have paid within those two years?—A. Yes, this is the only tax I paid.

Q. Did you pay the tax yourself, and in money?—A. Yes, sir.

Q. When did you get your receipt from Dugan?—A. I got it when I paid him.

Q. Did you see Dugan write it?—A. Yes, sir.

Q. Did you read it after he wrote it, and at the time when you paid him the money?—A. Yes, sir.

Q. Do you swear that the date in said receipt is the date upon which you paid the taxes to Dugan?—A. As far as I know it is. I can’t be so particular as to be confident. I am confident it is.

Q. When you say you paid these taxes to Dugan more than one month before the election of November 5, 1878, now do you not rely

upon the date in the receipt when you say you paid these taxes more than one month before said election for your knowledge of when you paid them?—A. I do rely upon the receipt, of course.

Q. Then, if this receipt was dated back by Dugan, are you not mistaken as to the exact date as to when you paid these taxes?—A. I paid my tax in time legally to vote.

Q. What do you mean when you say you paid your State and county taxes in time to be a legal voter?—A. I paid it more than thirty days before the election.

Re-examined :

Q. Do you or not mean in answer to your paying taxes in a legal time to vote, that you paid them more than a month before election?

(Counsel for contestant objects to the question, for the reason that the witness has already testified that he means by the expression "in time to make him a legal voter," more than thirty days. The question is therefore leading.)

A. I do.

Q. You have testified that you saw Dugan write this receipt; that he gave it to you the same time you paid him the money, and that you then read it. Will you now state whether the date put in it was the correct one and the one upon which you paid him the money?—A. I was satisfied at the time on the receipt—was correct when I read it.

Q. Had you seen notices in the paper, or elsewhere, as to when the time would be up for payment of taxes to vote at said election?—A. I seen several papers, election notices, as to the rules for elections.

Q. Do you mean election notices giving time when taxes would have to be paid to vote upon?—A. Yes; I mean that they gave me to understand that I would have to have them paid before the time specified.

Q. Did you pay these taxes before the time thus specified?—A. Yes, sir.

Q. Will you read the receipt which you have for payment of taxes to Dugan?—A. I will. It reads as follows:

"Houtzdale, Oct. 4th. Rec'd of Wm. S. Edwards, fifty cts., State and co.; 50 cts. tax for the year 1878.

"PAT. DUGAN, *Collector.*"

Q. In this receipt, is not the "50 cents" written at the lower left hand corner?—A. Yes, sir.

Recross-examined :

Q. Is not the "50 cts." which you have just sworn are on the lower left hand corner of your receipt from Dugan, on the same line and immediately before the words, "tax for the year 1878"?—A. Yes, sir.

Q. Is there not an additional line upon which there is nothing written but the name of Pat. Dugan, collector, which is written upon the right hand half of said line, immediately under the words "50 cents tax for the year 1878"?—A. There is a line containing but "Pat. Dugan, collector."

Q. Is there not room enough on that line on the lower left corner to write "50 cents"?—A. There is.

Q. Do you know whether what you read in the papers in reference to when State and county taxes had to be paid in order to give a man a vote, was the law of this State of Pennsylvania?—A. I understood them so.

Q. You are not positive that it was the law of this State, are you?—
 A. As far as I know it is the law.
 And further saith not.

WM. S. EDWARDS.

Attest:
 [SEAL.]

W. N. PROTHERO,
Notary Public.

DENIS WHITE sworn.

Question. Where and when were you born?—Answer. In Ireland. I am about 53 or 54 years old.

Q. Are you naturalized?—A. Yes, sir.

Q. When and where did you get your naturalization papers?—A. I got them in Bellefonte, Pa., in 1856 or 1857, to the best of my knowledge.

Q. Where did you reside on election day of November 5, 1878?—A. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months before said election?—A. Yes.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878, that was assessed more than two months and paid more than one month before said election?—A. Yes.

Q. Have you receipts for the payment of such taxes?—A. Not with me; I have at the house.

Q. Where, to whom, and when were they paid, as near as you can tell?—A. In Latrobe, Westmoreland County, Pennsylvania. To John Aucherman. I don't remember the other man's name. I know that Aucherman was collector, but not sure either that he was collector for 1877 or not. I paid in 1877 and 1878.

Q. About what time in 1878 did you pay a State or county tax?—A. I disrecollect what month.

Q. Did you pay it before you came Houtzdale?—A. No; it was after that. I wrote to a man to pay it for me, to receive the rent, and pay the tax.

Q. Did he, after that, report that he had paid the tax, and did he send you the receipt?—A. Yes.

Q. Did you receive that receipt more than a month before the election of November, 1878?—A. I cannot say that; I don't recollect; it's dated more than a month before.

Q. Did you vote in Houtzdale Borough at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, I voted in the borough, and voted for Seth H. Yocum.

Cross-examined:

Q. Where did you live before you came to Houtzdale?—A. At Latrobe, Westmoreland County, Pennsylvania.

Q. When did you leave Latrobe?—A. The 8th or 9th of August, 1878.

Q. Where did you move to from Westmoreland County?—A. To Houtzdale, Clearfield County, Pennsylvania.

Q. Do you live in Houtzdale Borough now?—A. No.

Q. Where do you live?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. When did you move into Woodward Township?—A. The 18th or 19th of December, 1878.

Q. Are you certain that it was in December, 1878, that you moved into Woodward Township?—A. Yes.

Q. When did your family come to Houtzdale Borough?—A. There was a portion of them there previous to the time I came there, and the remainder came when I came.

Q. When did you come?—A. The 9th or 10th, or in or about that time of August, 1878.

Q. Can you not fix positively the time when you came into the borough of Houtzdale?—A. I don't consider it was after the 10th of August, 1878.

Q. When did your family move from Houtzdale Borough into Woodward Township?—A. The 18th or 19th of December, 1878.

Q. When you moved into Houtzdale Borough, in 1878, did you intend to make it your permanent home?—A. Yes.

Q. You do not swear, do you, that the State and county taxes which you say were paid for you in Westmoreland County were paid more than one month before November 5, 1878?—A. I paid tax myself in 1877, which allowed me to vote.

Q. You do not swear, do you, that the taxes which you say were paid for you in Westmoreland County were paid more than one month before November 5, 1878?—A. It is specified in the tax receipt, to the best of my knowledge, that it was paid.

Q. Did you see the money paid?—A. No; I could not see from here to there.

Q. When did you receive the receipt you have just spoken of? Was it not about five days before the election of November 5, 1878?—A. I can't exactly say what time it was.

Q. Now are you not certain that it was less than ten days before the election of November 5, 1878, that you received that receipt?—A. No; I am not certain, but I wrote to have the taxes paid in October.

Q. Was it not about the last of October you wrote to Westmoreland County, directed your taxes to be paid?—A. I disrecollect what time in the month it was; it was in October.

Q. Now was it not in the third or fourth week of October, 1878?—A. I consider not. I consider it was in the beginning of the month.

Q. Do you think it was as late as the 15th of the month?—A. I recollect right well that I wrote in time; that I could have it paid before the time was up for paying taxes to vote. I say I considered I wrote in time.

Q. Now give me, as near as you can, the day of the month in which you wrote in reference to your taxes in Westmoreland County?—A. The last answer is as near as I can go. I disrecollect the date.

And further saith not.

DENIS WHITE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

11.55 o'clock p. m., adjourned until 1 o'clock p. m., same day.

2 o'clock p. m., same day, March 19, 1879, examination resumed.

A. B. ASHTON produced and sworn.

Question. Where and when were you born?—Answer. I was born in Huntingdon County, Pennsylvania, November 4, 1849.

Q. Where do you reside?—A. Houtzdale Borough, Clearfield County, Pennsylvania.

☞ (Counsel for contestant objects to the examination of this witness, now sworn, for the reason that contestant has not had notice that his testimony would be taken as is required by the act of Congress regulating proceedings in contested rights for seats in the Congress of the United States.)

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878; and in Houtzdale Borough for more than two months preceding said election?—A. We did.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. I did.

Q. Did you vote at the said election of November 5, 1878, and for whom did you vote for Congress?—A. Yes; and I voted for Yocum.

Q. Are you or not generally known as Andrew Ashton?—A. Yes, sir.

Q. Is there any other person by the name of Andrew Ashton living in Houtzdale Borough?—A. No, sir; not as I know of.

Cross-examined:

(Counsel for contestant, reserving the right to all legal exceptions, proceeds to examine.)

Q. What is your name?—A. Andrew B. Ashton.

Q. When did you pay the State and county taxes which you say you have paid within two years preceding November 5, 1878?—A. August 23, 1878.

Q. To whom?—A. Patrick Dugan.

Q. Where does your family reside?—A. Houtzdale Borough, Clearfield County.

Q. How do you know this tax was assessed to you more than two months before said election?—A. I had been paying tax before, in former years, and supposed I would have to pay tax that year.

Q. Did you pay that tax yourself, and in money?—A. I did, and—yes, sir.

Q. Were you in Houtzdale yourself for two months immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did Dugan give you the receipt which you have at the time you paid him your taxes?—A. Yes, sir.

Q. Did Dugan write this receipt, and did you see him write it?—A. Dugan requested me to write the receipt, and he signed it.

Q. Were you in Pennsylvania the whole of the year immediately preceding the election of November 5, 1878?—A. Yes, sir.

Re examined:

Q. Was the tax you paid to Dugan the only tax you paid within those two years?—A. No, sir.

Q. To whom and when did you pay such other State or county tax?—A. I paid it to John Malee, constable—State and county tax for 1877. I could not find the receipt, but I paid it within the two years.

Q. Did you or not pay it some time in the year 1877?—A. Yes, sir. And further saith not.

A. B. ASHTON.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

GEORGE CHARLTON produced and sworn.

Question. Where and when were you born?—Answer. Nottinghamshire, England, in 1819.

Q. Are you naturalized?—A. Yes, sir.

Q. When and where were you naturalized?—A. In Clearfield, Pennsylvania, in 1872, I think.

Q. Have you your papers with you, and will you produce them for inspection?—A. Yes, sir.

(Witness produces naturalization papers.)

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife and family, reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Have you receipts for such tax, and will you produce them?—A. Yes, sir; here it is.

Q. Will you hand it to the notary to copy into the testimony?—A. Yes, sir.

(Receipt produced, of which the following is a copy:)

“TREASURER’S OFFICE,
“Clearfield, Pa., May 31, 1878.

“Rec’d of Chas. Charlton the sum of one $\frac{95}{100}$ dollars, being county and State taxes for the year 1878, on his property situated and assessed in Houtzdale Borough.

“\$ One $\frac{95}{100}$.

“D. MCGUAGHEY,
“Treasurer.”

Q. Have you or not made a mistake in the receipt which you have produced, and have you another receipt, and will you produce it to be copied by the notary?—A. One of these receipts ought to be for Charles Charlton and the other for George Charlton.

(Witness produces receipt, of which the following is a copy:)

“TREASURER’S OFFICE,
“Clearfield, Pa., May 31, 1878.

“Rec’d of Geo. Charlton the sum of four $\frac{31}{100}$ doll’s, being county and State taxes for the year 1878, on his property situated and assessed in Houtzdale Borough.

“\$4 $\frac{31}{100}$.

“D. M’GAUGHEY,
“Treasurer.”

Q. Did you pay a State and county tax also in the year 1877?—A. Yes, sir; I have the receipts at home.

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I did; I voted for Yocum.

Cross-examined:

Q. Will you produce your naturalization papers and permit the notary to copy the indorsements on the back of the same?—A. Yes, sir

(Papers produced, and the following is a copy of all the indorsements on the back thereof:

“Certificate of citizenship of Geo. Charlton, 1872. Voted at Houtzdale, Feb. 17th, 1874.

“J. L. SHAW.

“L. F. RILEY.

“JOHN BIGLEY.”

Q. What time of day was it when you voted on November 5, 1878?—
A. Some time in the afternoon, I believe.

Q. When you voted on November 5, 1878, did you produce your naturalization papers for the inspection of the board?—A. I think not, sir; I did my tax receipt.

Q. How long before you voted did you get your ticket?—A. I got it three or four hours before I voted.

Q. Did you read it when you got it?—A. No, sir; but I got a person to read it for me.

Q. Where was your ticket from the time you got it until you voted?—A. It was in my pocket, only that I took it out for one of my boys to read it.

Q. Had you not a number of tickets in your pocket?—A. I had three, but they was all Republican tickets.

Q. Did you read these tickets which you had in your pocket?—A. No, sir; I can't read.

Q. Then you cannot swear, can you, of your own knowledge, that the name of Yocum, for Congress, was on your ticket?—A. Not of my own knowledge, but I can swear that one of my boys read it to me.

Q. You cannot swear, can you, of your own knowledge that the other tickets which you had in your pocket were Republican tickets?—A. I can swear that my son tell'd me as they were Republican tickets.

Q. Then you depend, do you not, for your knowledge for whom you voted for Congress at the election of November 5, 1878, upon what others told you?—A. Upon what my son told me, not other people.

Re examined :

Q. What son?—A. John.

Q. Did you vote the ticket which he read to you?—A. Yes, sir.

Q. What is your son's politics?

(Objected to because it is immaterial and irrelevant.)

A. He is like myself; he is a Republican, and all my sons is.

Q. Did you vote in Houtzdale Borough at each general election for more than five years immediately preceding the election of November 5, 1878?—A. I have voted at every general election ever since it was a borough.

Q. How long has that been?—A. I think it was in a borough in 1872.

Recross-examined :

Q. Did the election boards of Houtzdale Borough require you to produce your noturalization papers at five consecutive general elections?—
A. I could not say that; I think I have produced them till the last election or two.

And further saith not.

his
GEORGE + CHARLTON.
mark.

Attest :
[SEAL.]

W. N. PROTHERO,
Notary Public.

MILTON HAMPTON sworn.

Question. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—Answer. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Andy Curtin.

Q. Do you know where the original lines between the townships of Boggs and Woodward in Clearfield County, Pennsylvania, is located?—

A. Yes, sir; I have been told so.

Q. On which side of that line is the house in which you live located?—A. On the Boggs Township side.

Q. Is that the house in which you and your family lived on election day, November 5, 1878, and for several years before that?—A. Yes, sir.

Q. Have you ever been told of the line between those townships being changed for any purposes at or near where you live?—A. Yes, sir.

Q. When were you told such change was made?—A. I cannot tell you how long it was ago—before I ever voted any.

Q. Do you know anything about it except what you have been told by others?—A. That's all.

Q. Is the original line between those townships well known and marked in any way?—A. Yes; the road is the line.

Q. What road do you refer to?—A. Clearfield bridge road.

Q. Is or is not the Clearfield bridge road a public road very much traveled and long in use?—A. Yes, sir.

Q. Is it not the principal road in that section of the country?—A. Yes, sir; leading to Clearfield Town.

Q. Was or was not the line between those townships changed some years ago for school purposes and part of Boggs Township thrown into Woodward?—A. So many tracts was thrown in.

Q. Do you reside on the Woodward side of the line thus changed for school purposes?—A. Yes, sir; I live on Woodward side.

Cross-examined:

Q. Are you on your own farm?—A. I am living on my father's farm; it is called my father's farm.

Q. Where, if you know, was the line dividing Woodward and Boggs Townships on November 5, 1878, and was the farm you live on in Woodward Township at that time for election purposes?—A. Yes, sir. That is a question I can hardly answer.

Q. Was the farm upon which you lived on November 5, 1878, in Woodward Township, Clearfield County, Pennsylvania, for election purposes at that date?—A. Yes, sir.

Q. Was it assessed in Woodward Township?

(Objected to as not the best evidence.)

A. Yes, sir.

Q. Were not the taxes on said farm paid in Woodward Township?—A. Yes, sir.

Q. How long have you lived on this farm?—A. Twenty years.

Q. How long have the taxes on this farm been assessed and paid in Woodward Township, Clearfield County, Pennsylvania?—A. About thirty years.

Q. How long has it been since you commenced paying all the taxes in Woodward Township on this farm?

(Counsel for contestee objects to this question and all that have or may be asked the witness as to assessments or payments of taxes for

the reason that the records thereof are the best evidence and can be consulted and put in evidence if desired.)

A. About thirty some years.

Q. How long have you voted in Woodward Township?—A. At Lincoln's second election I voted my first vote—for McClellan.

Re-examined :

Q. You have testified that the house in which you live is upon the Boggs side of the original line between the two townships; will you now state on which side of the line are the barn and other buildings located?—

A. The barn is on the Woodward side.

Q. How long is it since the house you live in was built?—A. I can't tell you. It was built before we moved there.

And further saith not.

MILTON HAMPTON.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

MILTON HAMPTON recalled and sworn.

Question. Does your father reside on the farm about which you have been testifying?

(Counsel for contestant objects to this question, because it is immaterial and irrevelant, and his father, or the person in reference to whom the question is asked, is a competent witness and the best evidence as to his residence.)

Answer. Yes, sir.

Q. Does he reside in the mansion belonging to that property?—A. Yes, sir.

Q. On which side of the township line is the mansion-house located?—A. On the Woodward side—the old line of the township.

Q. About how long has your father resided there?—A. Since 1854; he moved there in 1854.

Q. Did he then own the whole property and farm it himself for a great many years?

(Objected to by counsel for contestant, because it is immaterial and irrelevant.)

A. Yes, sir.

Q. Why was it assessed in Woodward Township?—A. To save paying taxes in both townships.

Q. Was or was not it assessed in Woodward Township for the reason that the buildings were located on that side?—A. I can't tell you.

Q. They were located on the Woodward side, were they not?—A. Yes, sir.

Q. Did your father always vote and pay taxes in Woodward Township?—A. Yes, sir.

Q. Has or has not the taxes on that farm been assessed in Woodward Township ever since the mansion-house in which your father lived was erected?—A. Yes, and before.

Q. When was that house erected?—A. In 1866, I think.

Q. Then, as I understand it, the mansion-house belonging to this farm, in which your father, who owns it, resides, together with the barn and other outbuildings, are located on the Woodward side of the line of the two townships, while the house you live in is on the other side of the line; is it correct?—A. Yes, sir.

Q. Was or was not the property on the Boggs Township side of the

line assessed in Woodward Township before the house you live in was built?—A. Yes, sir; it was to my knowledge.

Q. Is this farm on which your father and you live all one original tract of land?—A. I cannot tell you that.

Q. Do you know the name or number of the warrantee?—A. No, sir.

Q. You have testified about having heard of the township line at or near where you lived having been changed. Now, did you or not refer to the fact that a change was made in the assessment of the property, and that that part of the tract lying in Boggs Township was to be assessed thereafter in Woodward, the line, for that purpose, changing its course, so as to include the farm in Woodward?—A. Yes, sir.

Q. That is the only change of line, is it not, that you know of, except the change for school purposes, as you have already stated?—A. Yes.

Q. You don't pretend to say, do you, that there was any other change from the original line except that?—A. That is all I know of.

Q. Was or was not that change made by the assessors in returning the property to the county commissioners?—A. No, sir.

Q. Was it not made by them with the approval and direction of your father, who was the owner of the property, together with the approval of the county commissioners?—A. No, sir.

Q. Was or was not the change made for the purposes stated by the court on the petition of those interested?

(Counsel for contestant objects to this question, because the petition which counsel by his question assumes was presented to the court praying for said change is the best evidence of the purposes for which such change was made.)

A. Yes, sir.

Q. When was that done, as near as you can tell?—A. About thirty-four or thirty-five years ago.

Q. At whose instance was it done?—A. Philip Fisher's.

Q. Who was Philip Fisher, and was he the owner of the property at that time?—A. Yes, sir; he was the owner.

Q. Do you know who else was on that petition?—A. No, sir.

Q. You know nothing about this matter except what others have told you?—A. Except what my aunt told me.

Q. Except what your aunt told you. Do you know of its having been changed for election or any other purposes?—A. No.

Q. What is your father's name, and how far does he live from where you do?—A. Thomas Hampton, and about thirty rods.

Cross-examined :

Q. Was not that portion of Boggs Township in which the farm upon which you and your father lived and located annexed to Woodward Township for election and all other purposes whatever?—A. Where my father lived, it was not annexed; where I lived, it was.

Q. Was not the part of the farm upon which your father lives always in Woodward Township?—A. Yes, sir.

Q. Is not that part of the farm upon which you live in that part of Boggs Township which was annexed and made a part of Woodward Township?—A. Yes, sir; it is.

Q. Then you live in Woodward Township, do you not, by virtue of this addition to said township?—A. Yes, sir; I do.

Q. How long have you lived in Woodward Township; that is, in that part of Woodward Township which was taken from Boggs Township?—A. Eight years.

Q. Have you voted in Woodward Township during these eight years?—A. Yes; I have voted in Woodward Township.

Q. Is it not generally known that the farm you live on is in Woodward Township?—A. Yes.

Q. Has it or has it not been considered and regarded as a part of Woodward Township by the assessors, by the road supervisors, and by the commissioners of Clearfield County, and the people of both Boggs and Woodward Townships, as a part of Woodward Township as long back as you can remember?

(Objected to as incompetent, immaterial, and hearsay, and not the best evidence.)

A. Yes; it has been.

Q. How long ago was it annexed to Woodward Township?—A. About 34 or 35 years ago.

Re-examined:

Q. Where did you live before moving, eight years ago, to where you now live, as stated?—A. I lived with my father.

Q. Had you been living with him a great many years continuously?—A. Yes, sir; since I can remember.

Q. Does the change in line which you refer to affect any other property in Boggs Township than that upon which you live?—A. Not any, except for school purposes.

Q. Was not the change for school purposes made but a few years ago?—A. Yes; it was.

Q. Then, does the first change made affect any but your property?—A. That's all.

And further saith not.

MILTON HAMPTON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary.

March 19, 1879, at 6.20 o'clock p. m., adjourned to 7.15 p. m. same day.

Eight o'clock p. m. same day (having adjourned from 7.15 p. m.), examination resumed.

GEORGE SMITH sworn.

Question. Where do you reside?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Scotland. I am forty-two years of age, past.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. Where were you naturalized?—A. In Huntingdon, Pennsylvania.

Q. About how long ago is it since you were naturalized?—A. Some time in 1866; could not tell the month.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough for more than two months immediately preceding that election?—A. Yes, sir; I have been in Pennsylvania since 1860. I have been in Houtzdale ever since it was a borough.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election?—A. Yes. I paid my State and county tax inside of two years.

Q. Was that tax assessed more than two months and paid more than one month before said election?—A. Yes. It was paid in 1877.

Q. Have you a receipt for that payment of tax, and will you produce and read it?—A. Yes, sir. (The receipt is as follows:)

“Received, Houtzdale, Sept. 22d, 1877, of George Smith two dollars & 36 ce'ts, State & county tax for 1877.

“JOHN MALEE,
“Collector.”

Q. Did you vote at the election of November 5, 1878, and for whom did you vote at said election for Congress?—A. Yes, sir; and I voted for Yocum.

Cross-examined:

Q. Did you read your ticket that you voted at the election of November 5, 1878?—A. No, sir, I did not; but I got it read for me.

Q. How do you know you voted for Yocum for Congress?—A. Because I kept a hold of it till I put it into the window.

Q. Do you not depend upon what others told you for your knowledge for whom you voted for for Congress?—A. No, sir. I made up my mind before I went to the election who I would vote for. Yes, sir; I depended on what he read. I know the heading of the ticket.

Q. If the person who read your ticket handed you a Curtin ticket, but read you the name of Yocum, now, did you not vote for Curtin?—A. No, sir; I never did vote for Curtin at that election.

Q. If the person who read your ticket gave you a ticket with the name of Curtin on it for Congress, did you not vote that ticket?—A. No, sir. We had a club formed here, and every man was posted in his ticket, and that they had no counterfeit tickets among them.

Q. How do you know you voted for Yocum?—A. We were a club formed, and were supposed to have no counterfeit tickets in our party.

Q. How can you swear you did vote for Yocum since you did not read your ticket?—A. Because they read it to me, and I kept a hold of it till I put it into the window.

Q. If the ticket they read to you had the name of Curtin on it, did you not vote for Curtin?—A. No, sir; it had no name of Curtin on it, or I would not voted it.

Q. Did you vote the ticket given you?—A. Yes, sir; I had above a hundred of the same tickets I voted.

Re-examined:

Q. Did you see any person on election day, November 5, 1878, having in his possession a number of tax receipts for distribution to Curtin voters?—A. Yes, sir, I did.

Q. Who was it?—A. Squire McAteer.

Q. About how many did he have?

(Counsel for contestant objects to this question, as well as to all the questions and answers in the redirect examination of this witness now sworn, for the reason that Squire McAteer is the most competent witness as to what his intentions were and as to the purposes for which he had any tax receipts if any he had, and is a competent witness, and his testimony can be had; and for the further reason that the testimony of the witness since, that he cannot read (as he has testified), must depend upon hearsay and what others told him, and is therefore incompetent as evidence.)

A. He had a fist full.

Q. What did McAteer say to you when you saw him with the fist full of tax receipts?—A. He says, “Smith,” he says, “where is McCormick?” pulling out a fist full of tax receipts; he says, “I have a tax receipt for

McCormick," and dropped two of them; he had so many of them he couldn't hold them.

Q. What is Esquire McAteer's politics?—A. Democrat.

Q. Was he actively engaged at that election in the interest of Curtin for Congress?—A. It appears he was, for he fought with me all day.

Recross-examined:

Q. Now did not Esquire McAteer work against the Democratic ticket at the last election?—A. No, sir, he did not.

Q. Who did he work for; did he work for John McGraff, John Malee, and the rest of the Democratic ticket?—A. I could not tell you, but he didn't vote for a Republican or a Greenback; I know that much.

Re-reexamined:

Q. Were not McGraff and Malee, about whom you have just been questioned, candidates at the spring election of February of this year?—A. Yes, sir.

And further saith not.

GEORGE SMITH.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

9.30 o'clock p. m., March 19, 1879, adjourned until 8 a. m. March 20, 1879.

8.30 o'clock a. m., March 20, 1879, examination resumed.

JOHN MCGUIRE, Sr., sworn.

Q. Where do you reside?—Answer. Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. In Ireland; about 1818 or 1819, to the best of my opinion.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. Were you naturalized for more than a month preceding the election of November 5, 1878?—A. Indeed I was, for more than twenty years.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, with your wife and family, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months prior thereto?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878, that was assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. Did you vote at said election, and for whom did you vote for Congress?—A. Yes, I did; and I voted for Yocum.

Cross-examined:

Q. When and to whom did you pay the taxes to which you have just testified?—A. To Joe Higgins—this will tell you—in 1877.

Q. Have you a receipt for the payment of the same?—A. Yes, sir.

Re-examined:

Q. Will you hand the receipt which you have produced to the notary to be copied into your testimony?—A. Yes, sir.

(Witness produces the receipt, of which the following is a copy :)

“WOODWARD T’P, Sept. 22, 1877.

“Received of John McGwier twenty-six cts., State and county tax for the year 1877.

“J. G. HIGGINS.”

And further saith not

his
JOHN + McGUIRE.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

BENJAMIN CHARLTON sworn.

Question. Where do you reside?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in England, in 1845.

Q. Are you a naturalized citizen?—A. Yes, sir; I am.

Q. Have you been for more than a month preceding the election of November 5, 1878, and where and when did you receive your papers?—A. Yes, sir; I received my papers in Clearfield, Pennsylvania, in the year 1872.

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife and family, reside in the State of Pennsylvania for more than one whole year immediately preceding November 5, 1878, and in Houtzdale Borough, Clearfield County, Pennsylvania, for more than two months immediately prior thereto?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election of November 5, 1878, that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. When and to whom did you pay it?—A. I paid it to the county treasurer, May 31, 1878.

Q. Did you also pay a State or county tax to Treasurer McGuaghey in the year 1877?—A. Yes, sir.

Q. Did you vote at the general election of November, 1878, and for whom did you vote for Congress?—A. Yes; and voted for Yocum.

Cross-examined:

Q. Will you please read all of the endorsements on the back of your naturalization papers?—A. Yes, sir.

“Certificate of Ben. Charlton, 1872. Voted at Houtzdale, Feb. 17th, 1874.

“J. L. SHAW, *Judge.*
“L. F. RILEY, *Inst.*
“JOHN BIGLEY, “.”

Q. Is that all that is on the back of your naturalization papers?—A. Yes, sir; that is all.

Re-examined:

Q. Did you vote in Houtzdale Borough at each general election for five years or more immediately preceding the election of November 5, 1878?—A. Yes, sir; I never voted anywhere else.

Recross-examined:

Q. Were you within five years preceding the election of November

5, 1878, out of the United States of America?—A. Yes, I believe I was; I was out in 1874.

Q. How long were you out of the United States?—A. As near as I can recollect, it was about three months.

And further saith not.

BENJ. CHARLTON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

B. F. DEFIBAUGH sworn.

Question. Where do you reside?—Answer. Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Bedford, in Bedford County, Pennsylvania. I was born the 17th of October, 1824.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed at least two months and paid at least one month prior thereto?—A. Yes, sir.

Q. Did you vote at said election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir, I voted. I voted for Yocum.

Q. Did you give to your son, William Defibaugh, and your son-in-law, Jackson Abbott, on election day, November 5, 1878, tickets?—A. Yes, sir.

Q. Did you read those tickets before giving them to them?—A. Yes, sir.

Q. Was the name of Seth H. Yocum, for Congress, on each of those tickets?—A. Yes, sir.

Q. Did you give one ticket to each of the persons named?—A. Yes, sir.

Cross-examined:

Q. Have you a receipt for the payment of your taxes?—A. Yes, sir.

Q. When and to whom did you pay your State and county taxes?—A. I paid them on October 5, 1878, to Thomas Henderson.

Q. Did you pay it to him in money, yourself?—A. I did, sir. Yes, sir, myself.

Q. When did you get your receipt from Thomas Henderson?—A. At the time, the 5th day of October last, at the time I paid him the money.

Q. Do you swear that you paid your State and county taxes for the year 1878, on the 5th day of October, 1878?—A. Yes, sir.

Re-examined:

Q. Do you rely upon the date in this receipt, in testifying that you paid it on October 5, 1878, or do you remember and have you anything to call it to your mind?—A. I rely upon the date of the receipt, simply because the gentleman I paid it to said it was the 5th. Whether he was mistaken or not, I don't know. If the 5th was the last day, I don't know; I went there on the last day to pay taxes on which I could vote.

Q. Did you know when the time would be up for the payment of taxes and did you go before the time was up, or on the last day?—A. Yes, sir, on the last day.

Q. Did you find Mr. Henderson at home when you went to pay these taxes, or did you have to hunt him?

(Objected to because it is immaterial and irrelevant.)

A. I had to hunt him.

Q. Would you have gone to the trouble to have hunted him up if it had not been the last day to pay taxes to vote on?—A. I would not, sir.

Q. Did you also on the same day pay the State and county taxes of your son, Wm. Defibaugh, and your son-in-law, Jackson Abbott?—A. I did.

Q. Did you pay them at their request?—A. Yes, sir.

Recross-examined:

Q. How many days before the election do you understand taxes must be paid to entitle one to vote at such election?—A. Thirty days is the way I understand it. I got it so in a newspaper, anyway.

Re-reexamined:

Q. Do you mean that it is thirty days or a month before the election?—A. Well, I always thought thirty days was a month.

And further saith not.

B. F. DEFIBAUGH.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JACKSON ABBOTT sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Huntingdon County, Pennsylvania, in 1852.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months prior to that day?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. Did you pay a State and county tax in the year 1877, and to whom?—A. I paid, yes, sir, to Joseph Higgins.

Q. Was Joseph Higgins collector of State and county taxes for Woodward Township?—A. To the best of my knowledge, he was.

Q. Was any State or county tax paid for you in the year 1878, and by whom?—A. There was; by B. F. Defibaugh, at my request.

Q. To whom?—A. To Mr. Chase, I think. I am not positive.

Q. Did he pay it by your direction and request?—A. Yes, sir; he did; I gave him the money to pay it.

Q. Did you tell Defibaugh to pay your State and county taxes for 1878 to the collector of those taxes?—A. Yes, sir.

Q. Did you vote at the election of November 5, 1878, in Woodward Township, Clearfield County, Pennsylvania, and for whom did you vote at said election for Congress?—A. Yes, sir; and I voted, to the best of my knowledge, for Mr. Yocum. I voted a ticket I received from Mr. Defibaugh. I asked him for a Republican ticket, he gave it to me, and I voted it without looking at it.

Cross-examined:

And further saith not.

JACKSON ABBOTT.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

THOMAS BUCHEL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. When and where were you born?—A. I was born in Ireland. I am about 25 years of age.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. When and where were you naturalized, as near as you can tell?—A. In Clearfield Township, Pennsylvania, about three or four years ago.

Q. Are you married?—A. No.

Q. Did you reside in the State of Pennsylvania for more than two years immediately preceding November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding that date?—A. Yes.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878, that was assessed more than two months and paid more than one month prior thereto?—A. Yes; I paid taxes.

Q. Did you pay a State or county tax in 1877?—A. Darned if I know; I pay taxes every year.

Q. Did you pay a State and county tax in the year 1878?—A. Yes.

Q. Have you a receipt for such tax, and will you produce and read it?—A. Yes, sir; you read it for me.

(Copy.)

“CLEARFIELD, PA., Sept. 7, 1878.

“Rec'd of Thomas Birchel the sum of one 1 $\frac{0.5}{1.00}$ doll's, being county and State taxes for the year 1878 on his property situated and assessed in Woodward Township.

“\$1 $\frac{0.5}{1.00}$.

“THOMAS HENDERSON,
“Collector.”

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes. I voted for Yocum.

Cross-examined:

Q. Did you yourself pay the taxes, the receipt for which has been copied?—A. I gave a dollar and five cents to Ashbury Chase for to get the tax receipt from Tom Henderson for me.

Q. When did you receive that receipt?—A. About a day or so after it being dated. I received it the same month it was dated in; that is, in September.

Q. Did you receive the receipt from Chase?—A. Yes; I was working and could not see Tom Henderson.

Q. Have you your papers of naturalization with you, and will you produce them?—A. No; I did not think I would want them.

And further saith not.

THOMAS BUCHEL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

And now, March 20, 1879, 12 o'clock m., adjourned until 1 o'clock p. m. same day.

And now, March 20, 1879, at 1 o'clock p. m., examination resumed.

DENNIS O'SHEA sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where were you born, and when?—A. In Huntingdon County, Pennsylvania, in the year 1855.

Q. Are you married?—A. No, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. Did you vote at the said election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; and I voted for Yocum.

Cross-examined:

Q. When and to whom did you pay any State and county tax?—A. To Joe Higgins; my tax receipt is dated December 7, 1877.

Q. Did you pay it to him yourself?—A. My father paid it.

Q. Did you yourself pay such tax?—A. No, sir.

Q. Is this the only tax that you paid or was paid for you within two years preceding said election?—A. Yes, sir.

Q. Did you see your father paying these taxes?—A. No, sir.

Q. Where did you live on the 1st day of June, 1878?—A. In Woodward Township.

Q. On the 1st day of April, 1878?—A. In Woodward Township.

Q. Are you certain you voted for Congress at all?—A. Yes, sir; to the best of my belief, I did.

Q. May you not be mistaken?—A. No, sir; I believe I am not.

Q. How do you know you voted for Yocum?—A. His name was on the ticket I voted.

Q. How do you know it was there?—A. I seed it on.

Q. Are you positive you voted that ticket?—A. Yes, sir; I believe I did.

Q. What was your number on the list of voters?—A. I could not tell that.

Q. Now, if your number was 128, and if ticket with number corresponding thereto had the name of Curtin on it, did you not vote for Curtin?—A. No, sir; I believe I didn't vote for Curtin.

Re-examined:

Q. Do you live with your father?—A. Yes, sir.

Q. Did your father pay this tax with your approval and direction?—A. Yes, sir.

And further saith not.

DENNIS O'SHEA.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

RICHARD MORGAN sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in South Wales, in 1845.

Q. Are you naturalized?—A. No, sir.

Q. Is your father naturalized?—A. Yes, sir.

Q. About how old were you when your father was naturalized?—A. About fourteen years old, sir.

Q. Did you or not vote on your father's papers?—A. I voted on my tax-receipt. No, sir; they knew me. They did not ask me for my father's papers.

Q. Did you not vote by reason of being naturalized by your father's naturalization while you were a minor?—A. I judge it's so.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family reside in the State of Pennsylvania for one whole year, immediately preceding the election of 5th of November, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months preceding said election?—A. Yes, sir; I did.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before the same?—A. Yes, sir; I did.

Q. Did you vote at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes; and I voted for Yocum; to the best of my knowledge, I did. I know I voted for Yocum.

Cross-examined:

Q. How do you know that you voted for Yocum?—A. Because I had a Republican ticket.

Q. Do you not know that some Republican tickets had the name of Curtin upon them?—A. No, sir.

Q. Then the only reason you know you voted for Yocum is because you had a Republican ticket, is it?—A. I preferred voting for him than Curtin.

Q. In what year was your father naturalized?—A. My father got his last papers in 1859.

Q. Have you those papers and will you produce them?—A. I have not got them.

Q. Did you produce them at the election of November 5, 1878?—A. No, sir; they didn't ask me.

Q. Then I understand you to say that you did not produce your father's naturalization papers for the inspection of the board at the election of November 5, 1878, at the place where you voted?—A. Yes, sir; I did not produce them.

Re-examined:

Q. Did you read the ticket you voted, and was the name of Yocum on it for Congress?—A. I did, sir; and Yocum's name was on it.

And further saith not.

RICHARD MORGAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

Mrs. THOMAS LORD produced and sworn.

Question. Where do you reside?—Answer. In Knox Township, Clearfield County, Pennsylvania.

Q. Are you the wife of Thomas Lord?—A. Yes.

Q. Was he minority inspector at the election in Knox Township of November 5, 1878?

(Counsel for contestant objects to this question and to the answer

which may be made thereto, for the reason that the returns of said election, as well as the records on file in the office of the prothonotary of Clearfield County, Pennsylvania, will show who was or was not minority inspector of said election in said township, and can be had, and is the best evidence, and the testimony is further objected to for the reason that her knowledge must depend upon what others told her and is hearsay and immaterial.)

A. Yes, sir.

Q. Did he bring the ballot-box used at that election home with him?

(Objected to by counsel for contestant, for the reason that it has not been shown that Thomas Lord (by the best evidence) was minority inspector or an officer of said election in said township, and for the further reason that contestee, in his answer to the notice served upon him by Andrew G. Curtin that his right to a seat in the Forty-sixth Congress of the United States would be contested, did not make any charges or allegations that any frauds or irregularities were committed by the officers of the election held on November 5, 1878, in Knox Township, Clearfield County, Pennsylvania, and for the further reason that it is immaterial in whose custody the ballot-box containing the ballots cast at said election in said township of Knox was placed after the said votes were counted and the returns of said election showing the number of votes received by each candidate at the same were made out and placed in the hands of the persons who were legally entitled to receive the same, because no recount of the votes cast at said election in said township has been ordered, and the evidence is therefore immaterial and wholly irrelevant.)

A. Yes, sir.

Q. While it was in his custody, at your house, did any persons come there and examine its contents, and what did they say?

(Objected to because it is immaterial and irrelevant and hearsay, and for the same reasons as in the objection to preceding question.)

A. Yes, sir; there was persons came there. John Withero came in and asked for the box. He said he had come to see if I would let him have the ballot-box. I told him I had no right to—

(Counsel for contestant objects to the witness testifying to anything she said, and also to that part of the answer just given that relates to what she said, for the reason that it is not in answer to the question, and because it is immaterial and irrelevant and incompetent as testimony in this case.)

—give him the box; perhaps it would put my husband and me into trouble. He answered that there was no danger of that. I then told him, if I had any right to give it to him I would do so. He said that he had been to James McKee's and expected to find it there, and said that they were sent to examine it. He said that all the ballot-boxes of every township in the county would have to be examined, and they were sent to examine this one. I told him then that if they had a right to get the box I would give it to them. That is all that I can remember that was said at that time. He went out to put away his horse; he said he had another man out with him, and he would bring him in; he said it would take some time to go over the tickets. He went out to put away his horse, then they both came in. I brought the box down and gave it to them. Robert Withero, the man that was with him, opened the box; he took out the papers that were in it; when he found the list of voters he compared them with the tickets, and when he found a number on the tickets he told John Withero to mark each one. When he found the number on the name list he found a ticket with the same num-

ber. If they voted Democrat, told him to mark it D ; if Republican, to mark it R ; if Greenback, to mark it G. There was a great many of the names they could not make out ; they asked me whether I could tell what they were. When they went on with that until they had finished they counted the number of votes they put down and compared it with those in the ballot-box.

Q. Do you remember of anything else that was said or done ?

Counsel for contestant objects to this question and answer thereto for the same reasons as in objections to the two preceding questions and answers.

A. While they were examining the tickets they found some names that had two tickets, the same number ; they said no man was entitled to more than one vote ; they put down one in their book, and marked the other name on the back of their book ; the name of William Conder was on the name-list in two places ; they found the name of William Kethcart in the registry book and it was not on their name-list. Robert Withero supposed it was a mistake in the one that wrote the names and should have of been William Kethcart instead of William Conder in one place, and wanted to rectify it ; and John said they had no right to make any alterations whatever ; that they were to send this in just as they found it here. I don't remember anything else they said concerning the election or ballot-box.

Q. How many names were there on the list of voters for which there was more than one ticket bearing the same number ?—A. There was three or perhaps more.

Q. Do you remember their names ?

(Objected to for same reasons as in the objections to the preceding questions and answers.)

A. I remember the names of three, Cartes Bloom, Snyder Bloom, James Kethcart ; there may have been more than that, but I don't remember their names.

Q. How many tickets were there for each of these names ?—A. Not more than two that I know of.

Q. You have stated that these parties, John and Robert Withero, after going over the tickets and ascertaining how each of the persons on the list of voters voted, they put them down in a book which they had, counted them up, and compared it with the paper in the ballot-box ; will you now state how this count of theirs compared with that on the paper in the ballot-box ?

(Objected to for the same reasons as in the objections to the preceding questions and answers.)

A. That's something I did not pay any attention to when they counted them.

Q. Did they say whether or not they had discovered any error in account ?—A. They said they didn't think there had been any fraud practiced in our township.

Q. Did they put all of the papers back into the box and fasten it as it was before, when they were through ?—A. All but one that fell behind the table, which I found afterwards. I suppose it was what they call the tally-list. I opened the box and laid it in.

Q. Did these parties, or either of them, on leaving, tell you anything about keeping their visit or anything they did a secret ?

(Objected to by counsel for contestant, for the same reasons as in objections to the preceding questions and answers.)

A. Robert Withero said I had better keep this a little quiet about them getting the ballot-box, and said it was my husband's best plan to take it to James McKee's as soon as he came home.

Q. What was James McKee?—A. He was justice of the peace, the nearest to the place of holding the election, in Knox Township, Clearfield County, Pennsylvania.

Q. Who did they say had sent them to open and examine the contents of the ballot-box, and who did they say they had authority from?—A. They did not say, and I did not ask them.

Q. Did they say they had authority to open the ballot-box and examine its contents?—A. I don't remember of them using the word "authority."

Q. Did the book which these parties had, and in which they noted how each man voted, contain the names of the voters already written out?—A. Yes, sir.

Q. What was the shape of that book, as near as you can remember?

(Objected to because it is immaterial and irrelevant, and for the same reasons as in preceding objections.)

A. I would call it a common pass-book, as near as I could get it.

Q. Was the writing in that book, if you know, that of either of those parties?—A. I don't think it was.

Q. Did they say where they got that book, or who had given it to them?—A. They did not.

Q. What is the politics of John and Robert Withero, the parties who opened and examined the ballot-box?

(Objected to because it is immaterial, irrelevant, and hearsay.)

A. I did not know what their politics was then, but understood since and they were both Democrats.

Cross-examined:

(Counsel for contestant, reserving the right to move the committee of Congress who shall hear this case to strike out the testimony now sworn, for the reasons stated in the several objections made to the questions and answers in her direct examination, proceeds to cross-examine.)

Q. Were you present during the time the ballot-box was being examined by the parties you say examined it?—A. Nearly all of the time.

Q. When was this?—A. I think it was in the month of January, 1879.

Q. They did not, did they, take away with them any of the papers that were in the ballot-box?—A. Not that I seen.

Q. Do you remember the numbers that were opposite the name of William Conder?—A. No, I don't.

Q. Were not the names of William Conder both together, one immediately following the other, on the list?—A. They were not.

Re examined:

Q. Where was your husband at the time these parties were at your house, and what was he doing?—A. He was hauling spars from above New Millport.

Q. How far was that from where you live?—A. They call it four miles to the place where he boarded while he was hauling.

And further saith not.

MRS. THOMAS LORD.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN M. KRISE sworn.

Question. Where do you reside?—Answer. Gulich Township, Clearfield County, Pennsylvania.

Q. Did you vote in Gulich Township at the election of November 5, 1878?—A. Yes, sir.

Q. Did you or not vote the Democratic ticket?

(Objected to because it is leading.)

A. I did vote the Democratic ticket.

Q. Did you or not vote for Curtin, the Democratic candidate for Congress?

(Objected to because it is leading.)

A. I can't tell you; whatever was on the ticket. I voted the full Democratic ticket. I can't read.

Q. From whom did you get your ticket?—A. George Harps.

Q. Did you tell him you wanted a ticket containing all the names of the Democratic candidates?—A. No, sir; I did not.

Q. Did you tell him you wanted a full Democratic ticket?—A. I told him I wanted a ticket.

Q. With whom were you living in Gulich Township at the time of the election in November, 1878?—A. I was living with Jim Flynn.

Q. With whom had you been living before you went to live with Flynn?—A. Wm. L. David.

Q. Where was that?—A. In Gulich Township, Janesville.

Q. Where did you live before that?—A. In Beccaria Township.

Q. With whom?—A. Sides Shofe.

Q. How long did you live with Sides Shofe?—A. I don't know. Pretty near all summer, near as I can tell.

Q. What were you doing at Sides Shofe's?—A. I was helping on the farm, and helping harvest.

Q. How long before harvest did you go there?—A. I went there about the 6th of July.

Q. Are you sure you went to Sides Shofe's to work after the 4th of July, 1878?—A. Yes. If you don't believe it, I can prove it.

Q. Were you there during seeding time?—A. No, sir; I was not.

Q. Were you working for him by the month, or how?—A. I was working by the month.

Q. At how much a month?—A. Eight dollars, I think.

Q. How much money did you get from Sides Shofe for wages?—A. I did not get no money.

Q. What did you get?—A. I got a vest and a coat.

Q. What else?—A. That's all.

Q. How much did he charge you for the vest and coat?—A. Five dollars, I think.

Q. Does he owe you the balance yet?—A. He don't owe me anything at all.

Q. Have you no claim against him of any kind for work?—A. No, sir; I have not.

Q. This coat and vest, then, is all he ever gave you or paid you?—A. No, he gave one of Cowans' little boys 15 cents that I owed Mrs. Cowans.

Q. Did he ever pay anything else, or give anything else to you, or any person else for you?—A. No, sir.

Q. How long did you live with Shofe?—A. It was from the 5th of July till September—the 1st of September.

Q. Can you swear to the exact day in September when you left Sides Shofe's?—A. No, sir; I didn't remember the day when it was.

Q. Was it not about the middle of September?—A. No, it was not.

Q. Was it in the forepart of the month of September?—A. It was about the 1st of September.

Q. Do you pretend to swear that it was on the first day of September, or any other particular day?—A. No, sir.

Q. Might it not have been as late as the 10th of September?—A. No, it was not that late.

Q. Do you swear positively to that?—A. I don't know whether it was or whether it was not.

Q. Don't you know that it was on or about the 10th of September when you and Shofe settled and you left him?—A. I don't know when it was.

Q. How long was it after you left Sides Shofe's till you went to live with William L. David?—A. I went right from there to David's.

Q. How long did you live with William L. David?—A. A week, I guess, near as I could tell.

Q. When did you go to live with Jim Flynn?—A. Right after I left David's I went to Jim Flynn's.

Q. How long did you live with Jim Flynn after the election?—A. I don't know; it was not very long.

Q. Was it as much as a week?—A. Well, I can't tell you.

Q. Do you think it was more than a week after the election?—A. I can't tell you anything about it, whether it was more or not.

Q. How was you working for Flynn, by the day or month, or how?—A. I didn't hire by the day or by the month, neither one. I was working for my boarding and clothes.

Q. Did you go to live with Jim Flynn as much as a month before the election?—A. Not quite a month before the election.

Q. Do you think you lived with Flynn as much as a month altogether?—A. Yes; more too.

Adjourned at 6.15 o'clock p. m., on March 20, 1879, until 7 o'clock p. m. same day.

Seven o'clock p. m. of same day, witness on the stand and examination resumed.

Question. Are you sure that you went to live with Jim Flynn within a month of the election?—Answer. Yes, sir.

Q. Do you know how much less than a month it was when you went there?—A. No, I don't recollect how much less than a month it was.

Q. Did any person pay any State or county tax for you before the election of November 5, 1878?—A. Yes, sir.

Q. Who was it?—A. James Flynn.

Q. How long before said election did he pay that tax?—A. I guess it must have been a week.

Q. Do you think it was as much as a week; and if more than a week, how much more?—A. I think it was a week, and may be it was more; I don't know.

Q. Now, wasn't it as much as ten days before the election?—A. It might have been; I don't know.

Q. Are you sure it was less than thirty days before the election that Flynn paid your taxes?

(Objected to for the reason the question is so put to the witness as to draw from him the answer desired by the counsel, and is therefore unfair to the witness and leading.)

A. I can't tell you.

Q. Was the tax that Flynn paid for you the only State or county tax which you either paid yourself or was paid for you within two years preceding the election of November 5, 1878?—A. No, because I was not here; I was out in another township.

Cross-examined:

Q. Did you reside in Gulich Township, Clearfield County, Pennsylvania, for more than two months before the election of November 5, 1878, at which Curtin was a candidate for Congress?—A. I think I was, to the best of my knowledge.

Q. Have you paid, or has there been paid for you, a State or county tax within two years immediately preceding the election of November 5, 1878?—A. O, yes.

Q. Was that tax assessed at least two months and paid one month or more before said election?—A. I can't tell you anything about it; I don't know whether it was before or not.

Q. Have you a receipt for the payment of those taxes, and will you produce it?—A. Yes, sir; there it is.

Q. Will you hand it to the notary to copy?—A. Yes, sir. (Witness produces the receipt, and the following is a copy:)

“GULICH T'W'P, S'pt. 4, 1878.

“Received of John Krise $\frac{50}{100}$ dollars, his State & co. tax for 1878.
\$.50.

“J. E. DAVIS, *Col.*”

Q. Have you resided in Pennsylvania for one year immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Can you read?—A. No, sir.

Q. Then you cannot swear positively, can you, that you voted for Curtin?—A. No, sir; I can't; not unless his name is on the Democrat ticket; if it was, I voted for him, and if it wasn't, I did not.

Q. If you can't read, how do you know you voted the Democratic ticket?—A. Because a man that was a Democrat give it to me; he told me it was the right ticket when I asked him.

Q. Then you depend upon what he told you when you say you voted for Curtin, do you not?—A. Yes, sir.

Re-examined:

Q. After answering the foregoing question, you intended making some explanation; will you do so now?—A. When I went down to the store and asked him for a ticket, he handed it to me; I asked him if it was the right ticket; yes, he said, it was; that's all I have to say.

And further saith not.

his
JOHN M. + KRISE.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

ANTHONY HULL sworn:

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. When and where was you born?—A. I was born in the south part of England; I am about thirty-two years old.

Q. Are you a naturalized citizen?—A. I am.

Q. How long is it since you were naturalized?—A. I believe it was in 1866.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, more than two months immediately preceding the said election?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you pay a State or county tax within two years immediately preceding the election of November 5, 1878, that was assessed more than two months and paid more than one month before the same?—A. Yes, sir.

Q. Did you vote at the election of November 5, 1878, and for whom did you vote at said election for Congress?—A. Yes, sir; I did; I voted for Yocum.

And further saith not.

ANTHONY HULL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

CHARLES BAKER sworn.

Witness withdrawn.

WM. SHAW produced and sworn:

Question. Where do you reside?—Answer. In Gulich Township, Clearfield County, Pennsylvania.

Q. Did you vote in Gulich Township at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For the Democratic candidate, Yocum.

Q. Have you any explanation to make about your answer to the preceding question; and, if so, make it.

(Counsel for contestant objects to this question that the witness has already testified for whom he has voted for Congress, and the question is put for the manifest intention of having the witness contradict his former answer, and is, therefore, an improper question.)

A. I voted for the Democratic party.

Q. Did you vote for the Democratic candidate for Congress?—A. Yes, sir.

Q. In answer to a preceding question you stated you voted for the Democratic candidate, Yocum. Did you mean by that to say that you voted for Yocum, who was the Republican candidate?

(Objected to for the reason that the counsel assumes by his question that Yocum was the Republican candidate for Congress, while the witness has already testified that Yocum was the Democratic candidate for Congress, and the question is so framed as to mislead the witness, and is unfair to him, and leading.)

A. I voted the Democratic ticket through.

Q. Did you not vote for Curtin and the whole Democratic ticket?—A. Yes, sir; I voted the whole Democratic ticket.

Q. Are you married?—A. Yes, sir.

Q. How long was it before the election that you moved into Gulich Township?—A. About between five and six weeks, as near as I can tell.

Q. Was it within six weeks?—A. Yes, sir.

Q. Where did you move from?—A. Cambria County.

Q. Did you pay any State or county taxes within two years preceding said election of November 5, 1878?—A. Yes, sir.

Q. When?—A. The same fall I moved down to Gulich Township.

Cross-examined:

Q. How long were you in Gulich Township before the election of November 5, 1878?—A. Between five and six weeks.

Q. Did you read your ticket?—A. No, sir.

Q. Then you cannot swear, can you, that the name of Curtin for Congress was on your ticket?—A. Well, the man that gave me the ticket was a straight-out Democrat himself.

Q. Then you cannot swear, can you, of your own knowledge, that the name of Curtin was on your ticket for Congress?—A. No, sir.

Re-examined:

Q. Who gave you your ticket?—A. Wm. R. Dickinson.

Q. Did you tell Dickison to give you a Curtin ticket, and that you intended to vote the whole Democratic ticket?—A. No, sir. He asked me whether I wanted a Democratic ticket. I told him I did, and he said he was going to run the straight ticket.

And further saith not.

WILLIAM SHAW.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WM. R. KLINE, affirmed:

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. In Clearfield County, Pennsylvania, in the year 1832.

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife and family, reside in the State of Pennsylvania for more than one year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months preceding said election?—A. Yes, sir; I did.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before the same?—A. Yes, sir; I did.

Q. Were you registered?—A. Yes, sir; in Woodward Township.

Q. Did you vote in Woodward Township at the election of November 5, 1878; and for whom did you vote for Congress?—A. I did vote, and I voted for Yocum.

Cross-examined:

Q. When and to whom did you pay a State or county tax within two years immediately preceding said election?—A. I paid my 1878 in May, at Clearfield, at the treasurer's office, to the clerk. I believe his name is Howe. He signed the receipt with McGaughey's name. The 1877 tax I paid to Higgins. I paid that to Higgins, I think, in September, 1878.

Q. Did you read your ticket that you voted at the election of November 5, 1878?—A. I did.

And further saith not.

WM. R. KLINE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

10.30 o'clock p. m., March 20, 1879, adjourned until 8 o'clock a. m. March 21, 1879.

Eight o'clock a. m. March 21, 1879, examination resumed.

JOHN DELAWDER sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Where and when were you born?—A. In Hardy County, West Virginia; in 1852.

Q. Did you, with your wife and family, reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years before said election that was assessed more than two months and paid more than one month before it?

(Counsel for contestant objects to the proving of the payment of State and county taxes by parol evidence, as the receipt for the payment of the same is the best evidence.)

A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878; and for whom did you vote for Congress?

(Counsel for contestant objects to this question for the reason that it is a matter of privilege, and the witness cannot be compelled to divulge for whom he voted until after it had been proven his vote is illegal.)

A. Yes, sir; I voted for Yocum.

Cross-examined:

Q. How do you know you voted for Yocum?—A. Because I voted the Greenback ticket.

Q. How do you know you voted the Greenback ticket?—A. I voted that any way; that's what I put in anyhow.

Q. How do you know that's what you put in?—A. Why, because I could read it and see what was on it.

Q. Was your ticket written?—A. No, sir.

Q. Was the name of Hoyt upon that ticket for governor?—A. No, sir.

Q. When did you pay a State or county tax?—A. On August 20, 1877.

Q. To whom?—A. To Hollenback.

Q. Is Hollenback the collector of State and county taxes for Woodward Township for 1877?—A. No, sir.

Q. Where did you live before you came to Woodward Township?—A. In Loydsville, Cambria County, Pennsylvania.

Q. When did you leave there?—A. The last of this month one year ago.

Q. Where did you live before you went to Loydsville?—A. At Morrisdale Mines.

Q. How long did you live at Loydsville?—A. I lived there from the 16th of January until March, 1878; the last of March.

Q. When did you leave Morrisdale Mines, and where did you go when you left there?—A. In January, 1878, I left there and went to Loydsville.

Q. When did you go to Morrisdale Mines, Morris Township, Clearfield County, Pennsylvania?—A. Four years ago the first week of February last.

Q. Where did you reside on the 1st day of October, 1878?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where did you live on the 6th day of October, 1878?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where did your family reside at that time?—A. In Woodward Township.

Q. Where did they reside on the 1st day of November, 1878?—A. In Woodward Township, Houtzville.

Q. Was the tax paid Hollenback the only State or county tax you paid within two years preceding the election of November 5, 1878?—A. Yes, sir; that's the only one I paid within two years.

Q. Did you pay it yourself, and in money?—A. Yes, sir.

Re-examined :

Q. Have you a receipt for the tax you paid Hollenback, and will you produce it and have it copied into your testimony?—A. Yes, sir.

(Witness produces receipt, of which the following is a copy :)

“MORRISDALE, Aug 20th, 1877.

“Received of John Delawder 26 cts., in full for State and county tax for the year 1877.

“J. W. HOLLENBACK, Col.”

Q. Was Hollenback collector of State and county taxes for Morris Township, Clearfield County, Pennsylvania, for the year 1877?

(Counsel for contestant objects to the proving by parol evidence the fact that it is sought to prove by the witness, for the reason the record on file in the office of the commissioners is the best evidence.)

A. Yes, sir; he collected off of me, any way.

And further saith not.

JOHN DELAWDER.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

M. P. BARRON sworn.

(Counsel for contestant objects and protests to the examination of this witness now sworn, for the reason that contestant or his counsel have not had notice that the testimony of the witness would be taken at this place and time, and that no notice whatever has been given contestant of the taking of the testimony of this witness, as is required by the act of Congress regulating proceedings in contested rights for seats in the Congress of the United States.)

Question. What is your name?—Answer. M. P. Barron.

Q. Are you not by some persons known by the name of Barrow, and do you not receive communications through the mails addressed to you by that name?

(Objected to for the reason that the witness has already sworn that his name is M. P. Barron, and it therefore matters not under what name he receives communications, as the act of Congress requires that contestant shall have notice of the name and place of residence of the witness, which had not been given in this case.)

A. Yes. My paper comes from Harrisburgh in that name.

Q. Have you not been a candidate for office within the past two years, and were you not known and announced by the name of M. P. Barrow?—A. Yes, sir. I wrote to the editor and made him rectify my name.

Q. Where and when were you born?—A. Born in Ireland, January 22, 1822.

Q. Are you a naturalized citizen?—A. Yes, sir.

Q. About how long is it since you were naturalized?

(Counsel for contestant objects to this question as well as to the preceding one, for the reason that his papers of naturalization are the best evidence, and the facts which it is sought to prove cannot be proved by parol evidence until the loss of the best evidence is shown.)

A. About 24 or 25 years. If I had known they had been needed I could have brought them along as easy as wink.

Q. Have you them at home?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto, and have you a receipt for the same, and will you produce it?—A. Yes, sir; and I have a receipt and will produce it.

Q. When and to whom did you pay such tax?—A. To Joseph Higgins; he was the collector; September 28, 1878; it was for the taxes of 1877.

Q. Did you or not also pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?

(Objected to by counsel for contestant, for the reason that it is a matter of privilege, and the witness cannot be compelled to say for whom he has voted until his vote shall have been proven illegal.)

A. Seth Yocum.

Cross-examined:

Q. Did you read your ticket you voted at the election of November 5, 1878?—A. Yes, sir.

Q. Did you see the name of Seth H. Yocum upon it?—A. Yes, sir. And further saith not.

M. P. BARRON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOSEPH LAWFORD sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes; well married.

Q. Where and when were you born?—A. I was born in England; I am about 52 years old, I believe, as near as I can tell.

Q. Are you a naturalized citizen; and, if so, about how long is it since you were so naturalized, and have you your papers with you, and will you produce them?—A. Yes, sir; I could not tell you that; here is the papers.

(Witness produces naturalization papers dated 1st day of September, 1851, from the court of common pleas of Clearfield County, Pennsylvania.)

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election, and have you any receipts therefor, and will you produce them for inspection?

(Objected to by counsel for contestant, because it is not the best evidence, and because such payment cannot be proven until it shall have been shown that the receipt for the payment of such taxes has been lost or destroyed.)

A. Yes. (Witness produces receipts, as follows: One dated May 28, 1877, signed by D. McGaughey, treasurer, for county and State taxes for 1877, and another, dated May 24, 1878, signed by D. McGaughey, treasurer, for the taxes of Joseph Lawford, county and State, for the year 1878.)

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to by counsel for contestant, because the witness cannot be compelled to divulge for whom he voted until it shall be shown that he is an illegal voter, it being a matter of privilege.)

A. For Yocum.

Cross-examined:

Q. Will you produce and hand to the notary your naturalization paper to copy in your testimony; that is, the paper which you produced in your direct examination as your naturalization papers?—A. Yes.

Witness produces paper, which reads as follows:

“Be it remembered that a court of common pleas held at Clearfield, for the county of Clearfield, in the commonwealth of Pennsylvania, in the United States of America, on the first day of Sept., in the year of our Lord one thousand eight hundred and fifty-one, Joseph Lawford, a native of England, exhibited a petition praying to be admitted to become a citizen of the United States; and it appearing to the said court that he had declared on _____, before the prothonotary of the court of the county of Clearfield, on the first day of Sept., A. D. 1851, that it was bona fide his intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty whatsoever, and particularly the Queen of England, of whom he was at that time a subject; and the said Joseph Lawford having, on his solemn _____, declared and also made proof thereof by competent testimony of Robert Henderson & Henry Baughman, citizens of the United States, that he had resided one year and upwards within the State of Pennsylvania, and within the United States of America upwards of five years immediately preceding his application, and it appearing to the satisfaction of the court that during that time he had behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, and having on his solemn _____ before the said court that he would support the Constitution of the United States, and that he did absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state,

and sovereignty whatever, and particularly to the Queen of England, of whom before he was a subject :

“ Thereupon the court admitted the said Joseph Lawford to become a citizen of the United States, and ordered all the proceedings aforesaid to be recorded by the prothonotary of the said court; and which was done accordingly.

[SEAL.]

“ WM. PORTER, *Proth'y.*”

Q. Have you any other papers which you regard as naturalization papers, except the one which you have just handed the notary, and which he has copied into your testimony, as part of it?—A. No, sir; not that I know of.

Re-examined :

Q. Did you see the prothonotary sign this paper and attach the seal of the court thereto?—A. Yes, sir.

Recross-examined.

Q. How do you know it was the seal of the court?—A. Why, I was there; I could not help but see it, without I shut my eyes.

Q. Might it not have been the private seal of the man who put it there, or the seal of the commissioners of Clearfield County, instead of seal of the court of Clearfield County?—A. It was the lawful seal for anything of that kind, as far as I know.

Q. Might not the seal which was attached on this paper which you have produced as your naturalization paper been the private seal of Wm. Porter instead of the seal of the court of common pleas of Clearfield County?—A. If it was, he made the mistake himself.

And further saith not.

JOSEPH LAWFORD.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

March 21, 1879, at 12.10 o'clock p. m., adjourned until 1 o'clock p. m. same day.

1 p. m., same day, examination resumed.

JOSEPH LAWFORD recalled and sworn.

Question. Are you witness Joseph Lawford, who was called and examined just before adjournment, and whose naturalization paper was produced and copied into the testimony?—Answer. Yes, sir.

Q. How old were you, about, when you came into this country?—A. To the best of my knowledge I was about twelve or thirteen years of age.

Q. Did you or not declare your intentions to become a citizen at the same time you petitioned to be naturalized.

(Counsel for contestant objects to this question and to the answer of the witness thereto, for the reason that the petition which witness presented to the court of common pleas of Clearfield County, as witness alleges he did present such petition, is, or ought to be, on file in the office of the prothonotary of Clearfield County, Pennsylvania, and said record is the best evidence of what witness did, and of what was contained in said petition, and the contestee cannot, under the rules of evidence, substitute parol evidence to prove the facts sought to be proven, because the record can be had and is the best evidence.)

A. Yes, sir; I did.

Q. Did you do so for the reason that you were under the age of 18 when you arrived in this country and had been here for five years?—A. Yes, sir.

And further saith not.

JOSEPH LAWFORD.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

EDWARD HAINES sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Where and when were you born?—A. In Woodward Township, Clearfield County, Pennsylvania, in 1854.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, on the day of said election, and for more than two months immediately preceding it?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto, and have you any receipt for the same, and will you produce it and hand it to the notary to copy?—A. Yes, sir.

(Witness produces receipt, of which the following is a copy :)

“WOODWARD Tp., *September 23, 1878.*

“Received Edward Haines fifty cts. State and county tax fore the year 1877.

“J. G. HIGGINS.”

Q. By whom was that tax paid?—A. David Mease.

Q. Did he pay it by your direction and request?—A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Yocum.

Cross-examined :

Q. Where did you live on the 1st day of January, 1878?—A. In Woodward Township.

Q. Where did you work on the first day of July, 1878?—A. At home, in Woodward Township.

Q. Where did you work during the month of September, 1878?—A. At home, in Woodward Township.

Q. Where did you work in the month of October, 1878?—A. At home, in Woodward Township.

Q. Where did you work during the month of November, 1878?—A. At home, in Woodward Township.

Q. Then you swear, do you, that you have not worked at any other place, or in any other township, during these three months of September, October, and November, 1878, than in Woodward Township?—A. Yes, sir.

Q. Do you know David Mease?—A. Yes, sir.

Q. Have you ever worked for him or lived with him?—A. I worked for him two days.

Q. When?—A. In August.

Q. In what year?—A. In 1878.

Q. Did you live with him more than two days?—A. No, sir.

Q. How much did you get a day for your work at David Mease's?—
A. Fifty cents a day.

Q. Why did you quit working for him?—A. The wages was too low.

Q. When you quit working for David Mease, did he pay you off?—
A. No, sir.

Q. Does he still owe you?—A. No, sir.

Q. At what time in August did you quit working for David Mease?—
A. To the best of my knowledge it was 7th, I guess.

Q. Have you seen David Mease since August 7th?—A. Yes, sir.

Q. Have you seen him since November 5, 1878?—A. Yes, sir.

Q. Had you seen him between the 1st day of October and the 1st day
of November, 1878?—A. Yes, sir.

Q. Did you see him on the 1st day of October, 1878?—A. Yes, sir.

Q. Did you see him on the 1st day of September, 1878?—A. Yes, sir.

Q. Did he not pay you for your work on the 1st day of September,
1878, when you saw him?—A. He paid me part of it.

Q. How much did he pay you at that time?—A. Fifty cents.

Q. How much did he pay you when you quit working for him?—A.
Nothing at all.

Q. When did he pay you the balance he owed you?—A. He paid my
taxes for the balance.

Q. Where does David Mease live, that is, in what township?—A. In
Boggs Township.

Q. Where did he live in the month of September, 1878?—A. In Boggs
Township.

Q. Were you ever in Decatur Township?—A. Not to the best of my
knowledge.

Q. Were you ever in Beccaria Township?—A. No, sir.

Q. What did you mean when you said you fixed the time you came
back into Woodward Township by a Republican meeting in Clearfield,
a short time before the election of November 5, 1878?

(Objected to, because the witness has not testified to anything of the
kind.)

A. I did not say no such things.

Q. Now did you not say just what has been stated in that question in
the bar-room of this hotel this morning?—A. No, sir.

Q. Did you say so in the room adjoining the bar-room?—A. No,
sir.

Q. Did you say so any place else?—A. No, sir.

Q. What time did you go back into Woodward Township from Boggs
Township?—A. August 7.

Q. How do you know it was August 7?—A. Got it marked in the al-
manac.

Q. Have you that almanac with you, and will you produce it?—A. No,
sir; I havn't got it with me.

Q. When did you look at that almanac last?—A. On Saturday
last.

Q. Was that almanac for 1876 or 1877, or for what year was it?—A.
1878.

Q. When were you subpoenaed to attend here and certify?—A. On
Saturday last.

Q. What time on Saturday?—A. To the best of my knowledge it was
about seven o'clock in the evening.

Q. Who subpoenaed you?—A. W. A. Chase.

Q. What did he say to you when he subpoenaed you?—A. He said he had a warrant for me.

Q. What else did he say?—A. Not anything more, but just pulled out the subpoena and read it to me.

Q. Where do you live now; with whom?—A. With Henry Troxell, Woodward Township.

Q. Do you know John M. Chase?—A. Yes, sir.

Q. Have you seen him since you were subpoenaed and talked with him?—A. No, sir.

Q. Did you read your ticket?—A. Yes, sir.

Q. Was the name of Hoyt on it for governor?—A. I can't remember the names, all that was on it.

Q. Now, whose name was on it for Congress?—A. Yocum's.

Re examined:

Q. You have been interrogated as to conversations with persons in the bar-room and room adjoining of this house sometime since you have been here as a witness; will you now state whether or not you have been approached by any one acting as counsel or otherwise for Mr. Curtin; and, if so, who it was?—A. Not to the best of my knowledge I was not.

And further saith not.

his
ED. + HAINES.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN HENSAL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where was you born and when?—A. Beccaria Township, Clearfield County, Pennsylvania, 7th day of April, 1857.

Q. Did you reside in the State of Pennsylvania for more than two years immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, on the day of said election, and for more than two months prior thereto?—A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I voted for Yocum.

Q. Were you, on the day of said election, between the ages of 21 and 22 years?—A. Yes, sir.

Q. Were you ever married?—A. No, sir.

And further saith not.

JOHN HENSAL.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

RICHARD JAYS sworn.

Question. Where do you reside?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in England in 1831.

Q. Are you a naturalized citizen? When and where were you natural-

ized, and have you your papers with you, and will you produce them?
—A. Yes, sir; in Clearfield, Clearfield County, Pennsylvania, in 1874.

(Witness produces certificate of naturalization from the court of common pleas of Clearfield County, dated 12th of January, 1874.)

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family reside in Houtzdale Borough, Clearfield County, Pennsylvania, for more than one whole year, immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months, and paid more than one month before the same?—A. Yes, sir.

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878; and for whom did you vote for Congress?—A. Yes, sir. I forget his name.

Q. The two candidates for Congress were Andrew G. Curtin and Seth H. Yocum. Did you vote for either of them; and, if so, which of them?

(Counsel for contestant objects to this question, because it is leading and so framed as to obtain from the witness the answer desired by the contestee.)

A. Yocum.

Cross-examined:

Q. Will you read the name of the man who signed your naturalization papers or certificate of citizenship as prothonotary, and what is the date of said certificate?—A. A. C. Tate signed it as prothonotary. Dated the 12th day of January, 1874.

Q. Will you read to the notary all that is endorsed on your papers of naturalization or certificate of citizenship on the back?—A. Witness reads as follows:

“Certificate of Richard Jays, 1874, voted at Houtzdale February 17, 1874.

“J. L. SHAW, *Judge*.

“L. F. RILEY, *Insp.*

“JOHN BRIGLEY.

“JOHN H. FULFORD, *Att’y.*”

And further saith not.

RICHARD JAYES.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

THOMAS SMILES sworn.

Question. Where do you reside?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in England. I am about 25 years old; will be 26 next June.

Q. Did you come to this country with your father?—A. Yes, sir. I was small when I came.

Q. Was your father ever naturalized; and, if so, have you any certificate thereof, and will you produce it?

(Counsel for contestant objects to this question, and also the answer of the witness thereto, for the reason that his father's certificate of naturalization is the best evidence, and for the further reason that it is attempted to introduce parol evidence and proof, which cannot be done until after the loss or destruction of the documentary evidence of the naturalization of father and the witness.)

A. Yes, sir; my father was naturalized. Yes, sir; I have it and will produce it.

(Witness produces duplicate certificate from the court of common pleas, held at the city of Pittsburgh, in and for the county of Allegheny, Pennsylvania, showing the naturalization of John Smiles by said court on the 13th day of October, 1860, this duplicate being issued October 27, 1876.)

Q. Is John Smiles your father?—A. Yes, sir.

Q. How old were you when your father was naturalized?—A. About 10 years old; maybe less, maybe more.

Q. You stated you will be 26 years old next June; is that correct?—A. Yes, sir; I believe it is correct.

Q. Are you married, or were you ever married?—A. No, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Houtzdale Borough, Clearfield County, Pennsylvania, on election day, and for more than two months before it?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before, and have you a receipt for such payment, and will you produce it?—A. Yes, sir. (Witness produces receipt, of which the following is a copy :)

“TREASURER’S OFFICE,
“Clearfield, Pa., May 31, 1878.

“Rec’d of Tho. Smiles the sum of $\frac{29}{100}$ dolls., being county and State taxes for the year 1878 on his property situated and assessed in Houtzdale Borough.

\$ $\frac{29}{100}$.

“D. McGAUGHEY,
“H., Treasurer.”

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. I voted the Republican ticket; I forget his name.

Q. The two candidates for Congress at that election were A. G. Curtin and Seth H. Yocum; did you vote for either of them; and, if so, for which of them?—A. Yocum.

Cross examined :

Q. Did you pay these taxes to Treasurer McGaughey yourself, that is your State and county taxes for 1878?—A. No, sir.

Q. Did you see them paid?—A. No, sir.

Q. Did you get this receipt from Treasurer McGaughey yourself?—A. No, sir.

Q. Then you do not of your own knowledge know that these taxes were paid, do you?—A. No, sir.

Re-examined :

Q. By whom were they paid?

(Objected to by counsel for contestant, because the witness has already testified that he does not of his own knowledge know that his State and county taxes were paid at all, and the question is therefore an improper question and leading.)

A. By my mother.

Q. Were they paid by your mother by your request and direction?—A. Yes, sir.

Q. Did you pay any State or county tax in 1877?—A. No, I don't mind, but I think I did.

Recross-examined:

Q. How do you know you voted for Yocum?—A. I seen it on the ticket.

Q. When did you tell your mother to pay your taxes?—A. I don't mind.

Q. Did you ever tell her to pay that tax, that is, to pay these taxes for you?—A. Yes, sir.

Q. Are you certain of it?—A. Yes, sir.

And further saith not.

THOMAS SMILES.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN C. COPENHAVER produced and sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Gulick Township, Clearfield County, Pennsylvania, in 1845.

Q. Were you ever married?—A. Yes, sir.

Q. Did you, with your wife and family, reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding the said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months, and paid more than one month before the same; and have you a receipt therefor, and will you produce it?—A. Yes, sir. (Witness produces receipt.)

Q. Through whom did you pay that tax?—A. Through James Moore, of Houtzdale.

Q. Did you request him to pay it?—A. Yes, sir.

Q. Was the collector to whom said taxes were paid in Houtzdale on the day it was paid, and did he ask you for the same?—A. Yes, sir.

Q. To whom did you direct him to go for the money?—A. To Mr. Moore.

Q. When were the taxes paid?—A. The 12th of January, 1878.

Q. When did you get this receipt?—A. The 12th of January.

Q. Did you get it the same day the collector dunned you for the money, and the same day Moore paid the taxes?—A. Yes, sir.

Q. Where did you live before moving into Woodward Township?—A. In Gulick Township.

Q. When did you move to Woodward Township; as near as you can tell?—A. About the last of December, 1878.

Q. Do you or not mean in the December previous to the election of November 5, 1878?

(Objected to by counsel for contestant, for the reason that the witness has already testified that he moved into Woodward Township in December, 1878, and the question is so framed as to mislead the witness, and put in his mouth the answer desired by counsel for contestee, and is leading and unfair to the witness.)

A. Yes, sir.

Q. Were you not mistaken when you stated that you moved into

Woodward Township in December, 1878, which was after the election? Did you not mean December, 1877?

(Objected to by counsel for contestant, because the witness has already testified that he moved into Woodward Township in December, 1878, and for the further reason that the question is so framed as to put into the mouth of the witness the answer desired by counsel for contestee, and is leading and unfair to the witness.)

A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Counsel for contestant objects to this question, because it is a matter of privilege, and the witness need not say for whom he voted at said election until it shall have been shown that he was an illegal voter.)

A. I voted for Yocum.

Cross-examined:

And now, 6 o'clock p. m., March 21, 1879, adjourned until 7 o'clock p. m. same day.

And now, 7 o'clock p. m. same day, examination resumed with witness on the stand.

Q. How long did you remain in this room after the adjournment before supper?—A. But a few minutes.

Q. Did any of the counsel for Seth H. Yocum remain with and talk to you in reference to your testimony?—A. Yes, sir.

Q. What did they say to you?—A. There was not anything said much.

Q. What was said?—A. He said I had not ought to get bothered so.

Q. On what particular part of your testimony did they talk to you and say you should not have been bothered so?—A. It wasn't on any particular part.

Q. Were you not told, when the taking of your testimony was discontinued till after supper, not to talk to anybody on the subject of your testimony?—A. Yes, sir.

Q. In your examination you said that David, the collector, came to you in Houtzdale and asked you to pay your State and county taxes; and you also said you told him to go to James Moore and he would pay him the taxes for you. Now, had you seen or spoken to Moore about these taxes until after you sent Davis to him for the same?—A. I spoke to Moore before.

Q. For what year were those taxes paid?—A. For 1876 and 1877.

Q. How much were they?—A. A dollar and ninety cents, or ninety-two.

Q. What was your tax for 1876?—A. I don't know; I couldn't say.

Q. How much was your State tax for 1876?—A. I don't remember.

Q. About how much?—A. I don't know.

Q. How much was your county tax for 1876?—A. I don't know how much.

Q. About how much?—A. I have no idea how much.

Q. How much was your poor tax for 1876?—A. I couldn't tell.

Q. About how much was it?—A. I have no idea at all.

Q. How much was your school tax for 1876?—A. I don't know that either.

Q. Is not this receipt, the date of which you have given the notary as the time when you paid your State and county taxes for 1876, also a receipt for poor and school taxes?—A. Yes, sir.

Q. How much was your State and county tax for the year 1878 ?—A. It was half a dollar.

Q. When did you pay that half dollar ?—A. I could not give you the date when I paid it.

Q. Was it in January, 1879, that you paid it ?—A. No, sir.

Q. Was it in December, 1878 ?—A. I don't know whether it was or not.

Q. How much was your poor tax for 1878 ?—A. I don't know.

Q. How much was your school tax for 1878 ?—A. I don't know.

Q. Now, why is it that you can remember how much your State and county tax was whilst you cannot remember what your school and poor tax was for the same year ?—A. Because I have got the receipt in my hand.

Q. What is the date of that receipt ?—A. November 18, 1878.

Q. Where did you live in 1875 ?—A. In Gulick Township.

Q. Where did you live on October 1st, 1876 ?—A. In Gulick Township.

Q. Where did you live on the 1st day of January, 1877 ?—A. In Woodward Township.

Q. Where did you live on the 1st day of December, 1876 ?—A. In Gulick Township.

Q. Where did you live on the 1st day of June, 1877 ?—A. In Gulick Township.

Q. Where did you live on the 1st day of October, 1877 ?—A. In Gulick Township.

Q. Where did you live on the day of the election of November, 1877 ?—A. In Gulick Township.

Q. Where did you live on the 6th day of September, 1878 ?—A. In Woodward Township.

Q. Where did you live on October 6, 1878 ?—A. In Woodward Township.

Q. Where did you live on November 1, 1878 ?—A. In Woodward Township.

Q. Did you read your ticket which you voted on November 5, 1878 ?—A. Yes, sir.

Q. What was the politics of James Moore of Houtzdale in 1878 ?—A. I don't know exactly ; I think he was a Republican.

And further saith not.

JOHN C. COPENHAVER.

Attest :

[SEAL.]

W. N. PROTHERO,

Notary Public.

GEORGE HAGERTY affirmed.

Question. Where do you reside ?—Answer. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born ?—A. In Clearfield County, Pennsylvania, December 1, 1825.

Q. Did you with your wife and family reside in Pennsylvania immediately preceding the election of November 5, 1878, for more than one whole year, and in Houtzdale Borough, Clearfield County, Pennsylvania, in and for more than two months preceding said election-day ?—A. Yes, sir.

Q. Are you married ?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before the same ?—A. Yes, sir.

Q. Did you vote at the said election of November 5, 1878, and for whom did you vote for Congress?

(Objected to the latter part of this question because it is improper, and one which counsel for contestee should not ask nor witness answer until it shall have been first proved that witness' vote was illegal, which has not been done in this case.)

A. Yes, sir; I voted the Republican ticket; I cannot remember all their names.

Q. Can you now recall the name of the person for whom you voted for Congress?—A. I couldn't hardly tell you.

Q. The two candidates for Congress were A. G. Curtin and Seth H. Yocum; did you vote for either of these; and, if so, which of them?

(Objected to because the question is simply intended by counsel to indicate to the witness what his answer should be.)

A. I voted for Yocum.

Q. Did you read your ticket?—A. I looked them over I believe.

Cross-examined:

Q. When did you pay your State and county tax for the year 1876?—

A. I couldn't tell you the date exactly, but I paid it October, 1877.

Q. When did you pay your State and county tax for 1877?—A. I can't tell you exactly when; the fore part of last summer I paid it to John Malee.

Q. From whom did you get the ticket you voted on the 5th day of November last?—A. I couldn't be certain; well, I can't tell you to a certainty from whom.

Q. Did you read it carefully before voting it?—A. I read it over to know what was on the face of it.

Q. Whom did you vote for for county treasurer?—A. Can hardly remember.

Q. Whom did you vote for for county commissioner?—A. Well, now, I most forget.

Q. Whom did you vote for for member of the legislature?—A. I forget these things.

Q. Whom did you vote for for State senator?—A. I can't mind; can't name them.

Q. Would you have known for whom you voted for Congress if the name had not been suggested to you in the form of a question by counsel for contestee?

(Objected to for the reason the question assumes that the name of the person for whom witness voted was suggested to him, which is not the case, both candidates having been named, and the witness asked which one he voted for.)

A. Yes, sir; them two names I remembered.

Q. Was Yocum's name written or printed on the ticket you voted?—A. Printed.

Q. Have you not said since you were subpoenaed in this case, and before you came upon the witness-stand, that you did not know whom you voted for for Congress?—A. No, sir; I did not.

Re examined:

Q. Will you produce the receipt for State and county taxes which you have for 1876, and hand the same to the notary to be copied into the testimony?—A. Yes.

(Witness produces receipt, of which the following is a copy:)

“HOUTZDALE, Oct. 18, 1877.

“Received George Hagerty sixty-three cents, State & county for year 1876.

“D. McMUNNIGAL, Col.”

Q. Have you the receipt for State and county taxes which you paid Malee early in the summer of 1878?—A. No, I have not, and the reason why: I had several taxes to pay him on adjoining properties, I had other taxes to pay him, and calculated to get all the receipts in one, and when I voted he was there, and told the board I had paid my taxes.

Q. Did you at any time within two years preceding the election of November 5, 1878, pay a State or county tax for your son Gilbert G. Hagerty, at his request?—A. Yes, sir.

Q. When and to whom did you pay such tax?—A. I think it was in September, 1878, to Patrick Dugan.

Q. Is Gilbert G. Hagerty the correct name of your son; and, if not, what is it?—A. It's George Gilbert Hagerty.

Cross examined:

Q. In reply to a question in your redirect examination you spoke about paying the taxes on several properties; whom do these properties belong to?—A. I paid some for John M. Jordan and some for my wife.

Q. Did you pay any taxes on property assessed in your own name?—A. Not here I didn't.

Q. Have you any property assessed or taxed in your own name, either real or personal?—A. Some little personal property and a small property that's assessed in my name; have no title for it.

Q. Do you pay any taxes on this small property for which you have no title?—A. Yes; I pay the taxes on it.

Re-examined:

Q. In addition to the taxes which you paid to Malee early in the summer of 1878, for the other persons named, did you pay a State or county tax of your own to him?—A. Yes, sir.

And further saith not.

GEORGE HAGERTY.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

CHARLES CHARLTON, sworn.

Q. Where do you reside?—A. In Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in 1849, Derbyshire, England.

Q. Are you a naturalized citizen; and, if so, when and where did you receive your papers; have you them with you and will you produce them?—A. Yes, sir, I am; received my papers in Clearfield, Pennsylvania. The certificate is dated 24th of September, 1872.

(Witness produces certificate of naturalization from the court of common pleas of Clearfield County, Pennsylvania, dated 24th of September, 1872.)

Q. Were you under the age of 18 when you arrived in this country and how old were you?—A. Yes, sir; I was 17 years of age, going on to 18.

Q. Did you or not declare your intentions to become a naturalized citizen, and petition the court for your final papers at the same time, by virtue of having arrived in this country under the age of 18 years?

(Counsel for contestant objects to this question and the answer of the witness thereto, for the reason that the certificate of citizenship or naturalization and the records of the court of common pleas of Clearfield County are the best evidence, and parol evidence cannot be given to prove the facts it is sought to prove until it shall have been shown that

the records of said court and the certificate of citizenship, which are the best evidence, have been lost or destroyed.)

A. Yes, sir.

Q. Look at your certificate of naturalization and see if they state that you were naturalized by having shown to the satisfaction of the court, among other things, that you had arrived in the United States before you were 18 years old.

(Counsel for contestant objects to this question and the answer of the witness thereto, for the same reasons as in the objections to the preceding question.)

A. Yes, sir, it does.

Q. Are you married?—A. No, sir.

Q. Did you reside in the State of Pennsylvania and in Houtzdale Borough on election day, November 5, 1878, and for more than two years prior thereto?—A. I did.

Q. Did you pay a State or county tax within two years, and more than one month preceding the election of November 5, 1878, that was assessed more than two months prior thereto?—A. Father paid them for me.

Q. Did your father pay them for you at your request?—A. Yes, sir.

Q. Have you any tax receipts for the payment of State and county taxes, and will you produce them?—A. Yes, sir.

(Witness produces receipts as follows:)

One thereof dated May 15, 1877, for \$1.90, State and county tax for the year 1877, from Charles Charlton. Signed "D. McGaughey, Treasurer." And another, dated May 31, 1878, for \$1.95, from Charles Charlton, county and State taxes for 1878. Signed "D. McGaughey, Treasurer."

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I voted for Seth H. Yocum.

Cross-examined:

Q. Will you read to the notary the indorsements on the back of the certificate of your naturalization?

(Witness reads as follows:)

"Certificate of Charles Charlton, 1872, voted at Houtzdale, Feb. 17th, 1874.

"J. L. SHAW, *Judge*.

"L. F. RILEY.

"JOHN BIGLEY."

Q. Is that all that is on the certificate of your naturalization?—A. Yes, sir.

Re-examined:

Q. Did you vote in Houtzdale Borough, Clearfield County, Pennsylvania, at each general election for five consecutive years prior to the election of November 5, 1878?

(Objected to because it is not the best evidence.)

A. Yes, sir.

And further saith not.

CHARLES CHARLTON.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

At 10.50 p. m., March 21, 1879, adjourned until 8 a. m. March 22, 1879.

8 a. m., March 22, 1879, examination resumed.

J. M. LEHMAN sworn.

Question. Where do you reside?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. Born in Bedford County, Pennsylvania, the 18th day of March, 1832 or 1833.

Q. Are you married?—A. Yes, sir.

Q. Did you reside in the State of Pennsylvania with your wife and family for more than one whole year preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, on said election day, and for more than two months immediately preceding it?—A. Yes, sir; and for twenty-three years, except during the war.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month before said election?—A. Yes, sir.

Q. When and to whom did you pay such tax?—A. On September 2, 1878, and to Thomas Henderson.

Q. Did you pay any State or county tax in 1877?—A. Yes, sir; I paid it to Joseph G. Higgins, either on the day of the spring election or the day of the fall election, 1877.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?

(Object to the latter part of the above question because the witness cannot be compelled to tell for whom he voted until it has been proven that his vote was an illegal one.)

A. Yes, sir; and I voted for Yocum.

And further saith not.

J. M. LEHMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

J. M. LEHMAN recalled before leaving the stand.

Question. Are you a justice of the peace?—Answer. Yes, sir.

Q. For Woodward Township, Clearfield County, Pennsylvania?—A. Yes, sir.

(The above questions and answers, since the witness has been recalled, are objected to for the reason that it is a matter of record whether or not the witness is a justice of the peace, and the records thereof are the best evidence, and the fact cannot be proved by parol testimony.)

Q. Are you or are you not the justice of the peace of Woodward Township residing nearest the election house in which the election of November 5, 1878, was held?

(Objected to for the reason that it has not been shown by the records, which is the best evidence, that J. M. Lehman is a justice of the peace in and for Clearfield County.)

A. I believe I am. My impression is that I live a mile nearer the election house than any other justice of the peace in the township.

Q. What other justice or justices of the peace reside in Woodward Township?—A. But one, William Luther.

Q. Was the ballot-box used at the election of November 5, 1878, in Woodward Township, Clearfield County, Pennsylvania, placed in your hands after the election was over?—A. No, sir.

Q. Into the custody of what justice of the peace was it placed, if you know?—A. I don't know only by report. It was reported that there was to be a contest on this election. I was one of the clerks of the election, and I spoke to the board that I had better take charge of the ballot-box when the polls was closed and the vote counted out. Thomas Henderson was in the room at the time; he said that the ballot-box had always remained at the election house. He said he thought it was as safe there as any place else, and the board concluded to leave it at the election house. When I heard there was to be a contest I went to the election officers; I told them I thought they had better get the ballot-box. They said if I would go along they would go and get it. We started on Monday morning. I think that was eight or ten days after the election. We got within 200 yards of the election house and met Thomas Henderson; told him the business we were on; he said that Constable Higgins had been there on Saturday and took the ballot-box to 'Squire Luther's. I think that he said that he (Higgins) had an order for it from Wallace and Krebs. Then another reason that I think the ballot-box was left with Luther at the spring election, when the constable brought the box I asked him where he got it from, he said he had got it of 'Squire Luther.

And further saith not.

J. M. LEHMAN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WILLIAM DEFIBAUGH sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Fulton County, Pennsylvania. I am going on 25 years of age.

Q. Were you married at the time of the election, November 5, 1878, or at any time before that?—No, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months before that election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir; my father paid the tax.

Q. What is your father's name?—A. B. F. Defibaugh.

Q. Was he examined here as a witness yesterday?

(Objected to, because if said B. F. Defibaugh was examined yesterday before this board of examination it is a matter of record in this case, and is therefore the best evidence, and the answer of this witness is hearsay.)

A. Yesterday or day before; I could not say which.

Q. Did your father pay those taxes for you at your request?—A. Yes, sir.

Q. Have you the receipt for such payment, and, if not, what has become of it?—A. I have not got it. I lost it, and I don't know where I lost it.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Counsel for contestant objects to this question, for the reason that

the witness cannot be compelled to say for whom he voted until it shall be shown that his vote was illegal, it being a matter of privilege, and can be answered or not, as the witness sees fit.)

A. For Yocum.

Cross-examined:

Q. How do you know you voted for Yocum?—A. I seen it on the ticket.

Q. You are certain you saw his name on the ticket?—A. Yes, sir.

Q. What other names did you see on the ticket?—A. I don't remember.

Q. Do you remember one?—A. Yes, sir; I remember Yocum.

Q. How does it come that you remember Yocum and none of the others?—A. Because the fight was between Yocum and Curtin.

Q. For what office was Yocum running?—A. For governor of Pennsylvania.

Q. Then I understand you to say that you voted for Yocum for governor of Pennsylvania?—A. Yes; for governor.

Q. I also understand you to say, do I, that you do not remember any other names that were on your ticket?—A. Besides Yocum—no, sir.

Q. When you say "Besides Yocum," do you mean besides Yocum for governor of Pennsylvania?—A. There was only one man on the ticket for governor, and I voted for Yocum.

Q. And it was for him (Yocum) that you voted for for governor?—A. Yes, sir.

Q. Are you positive of this fact?—A. Yes, sir.

Q. You are sure you are not mistaken?—A. I am sure I voted for Yocum for governor.

Q. In your direct testimony, you swear that your father paid your State and county tax for you and at your request. Now, when did you make that request?—A. I don't remember when I made the request, but he paid them.

Q. Did you make this request in November, 1878?—A. I said I didn't remember when I made the request.

Q. About when did you make this request?—A. It was two months, anyhow, before the election.

Q. How can you fix this date?—A. I can't fix it at all; I can't tell you the date.

Q. Now, was it not about the 15th day of October that you spoke about these taxes for the first time to your father?—A. I don't know whether it was that time or before it.

Q. How long was it before that time, at the longest?—A. I don't know.

Q. When your father paid these taxes for you, did he owe you anything?—A. No, sir; but I gave him the money to pay them with.

Q. Have you a receipt?—A. Havn't any; told you before I lost it.

Q. When did you lose it?—A. I don't know.

Q. When did you get it from your father, and was it not on the day of election?—A. I couldn't say for sure. I believe it was on day of election.

Q. Where was it you got it?—A. At home, in the house.

Q. How long after you requested your father to pay it did you get the receipt from him?—A. About two months.

Q. How long after you gave your father the money to pay it was it he gave you the receipt?—A. I don't remember.

Q. Was it one week?—A. I don't know.

Q. Are you sure it was one week?—A. I don't remember whether it was or not.

Q. Then you cannot swear, can you, that it was one week before the election of November 5, 1878, that you gave your father the money to pay these taxes for you?—A. Yes, it was before one week, and a good while too.

Re-examined:

Q. Were you living at home with your father when he paid these taxes for you?—A. Yes, sir.

Q. You were asked in your examination-in-chief for whom you voted for Congress and you replied that you voted for Yocum for Congress, and on cross-examination you stated you voted for Yocum for governor. Now, were you not mistaken in saying you voted for Yocum for governor, and did you or not mean Congress?

(Counsel for contestant objects to this question for the reason that the witness has already testified that he does not remember the names of any other candidate upon his ticket than the name of Yocum for governor, and that he is positive that he voted for Yocum for governor of Pennsylvania, and it is objected to for the further reason that the question is so framed as to put in the mouth of the witness the answer desired by counsel for contestee, and is leading and unfair to the witness and an improper question.)

A. It was on account of my ignorance. I suppose it was Congress.

Q. Did you vote for Yocum for the office for which he was a candidate?—A. Yes, sir.

Q. In saying on cross-examination that you voted for Yocum for governor, did you do so thoughtlessly and was or not your mind principally occupied in the person for whom you voted rather than the office for which he was a candidate?

(Objected to because it is improper and leading.)

A. The person more than the office.

Q. Were you mistaken when you said it was governor?

(Counsel for contestant objects to this question because the witness has already testified that he could not be mistaken when he said he voted for Yocum for governor.)

A. Yes, sir.

Q. When you stated that you were certain that you could not be mistaken, did you or not merely mean that you could not be mistaken in having voted for Yocum?

(Objected to for the reason that the witness has already answered the question, and has said in his cross-examination, when asked whether he could be mistaken when he said he had voted for Yocum for governor of Pennsylvania, that he could not be mistaken and that he was positive that he voted for Yocum for governor of Pennsylvania.)

A. Yes.

Q. Did you vote for Yocum and the whole Republican ticket?—A. I voted for Yocum. I don't know whether the whole Republican ticket or not.

Q. Do you remember who gave you your ticket?—A. My father gave me my ticket.

Q. Was it or not an ordinary printed ticket?—A. Yes, sir.

Cross-examined:

And further saith not.

WM. DEFIBAUGH.

Attest:

[SEAL.]

W. N. PROTHERO, *Notary Public*.

JOHN RICHARDS sworn.

Question. Where do you reside?—Answer. Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. When and where were you born?—A. I was born in Armstrong County, Pennsylvania. I was 33 years old the 4th of last January.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months and paid more than one month prior to that date?—A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Yocum.

Cross-examined:

Q. When did you pay a State or county tax within two years preceding the election of November 5, 1878?—A. On the 24th of last August.

Q. To whom?—A. To Thomas K. Henderson. I don't know whether he has a middle name or not.

Q. Did you pay it yourself?—A. Yes, sir; and in money.

Q. Did you read your ticket?—A. Yes, sir.

Re-examined:

Q. Did you also pay a State or county tax to Collector Higgins, in August, 1878?—A. I paid him my 1877 tax in 1878. No date on the receipt.

Q. How long was it after you paid Henderson that you paid Higgins?—A. About a month, I would think, the nearest I could come to it.

And further saith not.

JOHN RICHARDS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

12 o'clock m., March 22, 1879, adjourned until 12.45 p. m. same day.

1 o'clock p. m. same day examination resumed.

TERRENCE BEIGLEY sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election?—A. No, sir.

Q. For whom did you vote at said election of November 5, 1878, for Congress?

(Objected to for the reason that it is a privileged question and the witness cannot be compelled to divulge for whom he voted until it is first shown that his vote was an illegal one.)

A. For Andy Curtin.

Q. How long did you live in Woodward Township with your family prior to the election of November 5, 1878?—A. About three years.

Q. Where did you move from when you moved into Woodward Township?—A. From Cambria County.

Q. Did you pay any State or county tax since you moved into Woodward Township, Clearfield County, Pennsylvania?—A. No, sir.

Cross-examined:

Q. Do you own any real estate situated in Woodward Township, Clearfield County, Pennsylvania, which is assessed in your name and upon which you pay taxes or have them paid for you at your instance and request?—A. Yes, sir; at the time of the assessment I owned property.

Q. And did you pay or cause to be paid for you, at your request, the State and county taxes assessed against that property?—A. No, sir.

Q. Who paid the taxes upon that property while it was assessed to you?

(Counsel for contestee objects to the witness testifying to any hearsay or anything he does not know of his own knowledge.)

A. I guess I will have to pay it.

Q. When did you come into possession of that property; in what year?—A. About three years ago.

Q. Has there never been any State or county taxes paid upon that property since you owned it, if you know?—A. Not that I know of.

Q. Did ever the tax collector of Woodward Township—I mean Thomas Henderson—ask or demand of you any State or county taxes?—A. Once, that I know of.

Q. When, and for what year?—A. Some time before the previous election.

Q. What election?—A. The same election at which you're examining about these votes.

Q. Was or was not the election of November 5, 1878, the one you mean?—A. Yes; that's the one I mean.

Q. When you came to vote at the election of November 5, 1878, in Woodward Township, Clearfield County, Pennsylvania, was your vote objected to, and what did Thomas Henderson say to the board at that time?

(Objected to, because the question assumes that Thomas Henderson did say something to the board, and that the witness so testified, which is not correct.)

A. They asked me for my tax receipt; Thomas Henderson said my taxes was all right.

Q. After Thomas Henderson said to the election board of Woodward Township, Clearfield County, Pennsylvania, that your taxes were all right, did you then present your vote or ticket to the said board of election, and did they accept it?—A. Yes, sir.

Re-examined:

Q. How long before the last general election was it that Thomas Henderson asked you for your State and county taxes?—A. It might be two or three months. I can't exactly say.

Q. Can you swear that it was more than one month before the election?—A. Yes.

Q. Was it or not in the month of October last?

(Objected to, because the question intimates that it was in the month of October, whilst the witness has already sworn it might have been two or three months before the election of November 5, 1878, which

would make it in the month of August or September, and question is leading and unfair to the witness.)

A. I could not exactly say. I had no day or date; it must be two or three months previous to the election.

Q. Then your vote was not challenged at the election, but were merely asked if you had tax receipt?—A. Yes, sir.

And further saith not.

TERRENCE ^{his} + BEIGLEY.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOSEPH RIEGEL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. I was born in Lebanon County, Pennsylvania, September 22, 1819.

Q. Were you married on day of election of November 5, 1878, and for several years prior thereto?—A. No, sir.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months preceding said election?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months, and paid more than one month prior thereto?—A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to by counsel for contestant, for the reason that it is a matter of privilege and the witness cannot be compelled to testify for whom he voted until it shall have been shown that his vote was illegal.)

A. I voted for Yocum.

Cross-examined:

Q. Where did you live on September 15, 1878?—A. In Woodward Township.

Q. Have you ever been married?—A. Yes, sir.

Q. Is your wife living?—A. No, sir.

Q. When did you pay a State or county tax within two years preceding said election?—A. I paid it some time in September, 1877.

Q. Have you a receipt?—A. Yes, sir.

Q. Did you pay that tax yourself?—A. My friend paid it for me. I am in his employ. Mr. Chase paid it for me.

Q. Did you ask Mr. Chase to pay these taxes for you?—A. Yes, sir; I generally do.

Q. When did you ask him to pay your State and county taxes for 1876 and for 1877?—A. Now that's hard for me to say when. It was previous to that time though.

Q. Did you ever ask him to pay your State and county tax for 1877?—A. Why, yes, of course I did.

Q. Did you see him pay your State and county taxes for 1876 and 1877 to the collector?—A. I did not.

Q. From whom did you get your receipt?—A. From W. A. Chase.

Q. Where did you live on the 1st day of January, 1876?—A. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where were you born?—A. Born in Lebanon County, Pennsylvania.

Q. Was W. A. Chase, the man from whom you say you received your receipt, a collector of State and county taxes?—A. No, sir.

Re-examined:

Q. Have you a receipt for your State and county taxes, and will you produce it?—A. Yes, sir.

(Witness produces receipt for State and county taxes dated September 21, 1877, for State and county taxes, of Joseph Reigel, for the years 1876 and 1877, for 50 cents, signed by J. G. Higgins.)

Q. When did you get that receipt, as near as you can tell?—A. As near as my memory serves me now, I got it within a day or two.

Q. Within a day or two of what time?—A. Of the date of the receipt.

Q. Did you see J. G. Higgins sign the receipt which you presented to the notary for inspection?—A. No, sir.

Q. In your cross-examination you swore that you received that receipt from W. A. Chase, who was not tax-collector of State and county taxes. Now, of your own knowledge, do you know whether or not this tax receipt was written or signed by J. G. Higgins?—A. That is not for me to say. I took the man's word for it.

Q. What man's word for it?—A. William A. Chase.

Q. Do you know Higgins's handwriting or signature?

(Objected to because the witness is not an expert, and Higgins is a competent witness and his testimony can be had, and is therefore the best evidence as to the signature to the receipt, which has not been offered in evidence.)

A. Well, I don't know that I would, never having had any dealings with him.

And further saith not.

JOSEPH RIEGEL.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN POWELL sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. In England; am about 31 years old.

Q. Are you a naturalized citizen; and, if so, where and when were you naturalized?—A. Yes, sir; and in Clearfield County, Pennsylvania.

(Certificate of citizenship handed to notary, by which it appears in the body thereof as having been granted by the court on the 15th day of March, 1875; but in the certificate attached wherein the prothonotary certifies thereto, the date is March 15, one thousand eight hundred and seventy, the year being in printing, and the blank left after the word seventy not being filled up, the last words before the signature of the prothonotary being as follows: "And of the sovereignty and independence of the United States of America the ninety-ninth"; the certificate also setting forth that John Powell, the party naturalized, came into the country under the age of 18 years.)

Q. Were you under the age of 18 years when you arrived in this country?—A. Yes, sir.

Q. Did you reside with your wife and family in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months prior thereto?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months, and paid more than before said election?—A. Yes, sir.

Q. Have you any receipts therefor, and will you produce them?—A. Yes, sir.

(Witness produces two tax receipts signed by J. G. Higgins, one dated September 22, 1877, for \$1.93, State and county taxes of John Powell for 1876, and the other dated July 25, 1878, for \$1.58, State and county taxes of John Powell for 1877; the same being examined by counsel on both sides.)

Q. Did you also pay your State and county taxes for 1878?—A. Yes, sir.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to because the question is an improper one and one which counsel should not ask nor witness answer.)

Q. Yocum.

Cross-examined:

Q. Who did you get your ticket from on the day of the November election, 1878?—A. I don't know exactly; I believe it was John M^r Chase.

Q. Did you read your ticket carefully before voting it?—A. I did not read it very carefully; I seen his name there, that I wanted to vote.

Q. Did you read all the names?—A. I didn't want to read them all; that one was all I wanted to know.

Q. Can you read at all?—A. Yes; I can read a little.

Q. Did you on the 5th of November, 1878, read the ticket you voted for Congress with such care and attention as will enable you now to say positively upon your oath that you voted for Yocum?—A. I voted for Yocum.

Q. Have you since the day of election of November 5, 1878, all the time recollected that you voted for Yocum for Congress, or has your memory been refreshed since that time?—A. I always remembered I voted for him.

Re-examined:

Q. Did you or not on November 5, 1878, vote for Seth H. Yocum for Congress?—A. Yes, sir; I did.

And further saith not.

his
JOHN + POWELL.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

WILLIAM POOLER sworn.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; age, 47 years.

Q. Where was you born?—A. In England.

Q. Have you been naturalized, and will you produce your papers?—A. Yes, sir.

(Witness produces certificate of naturalization, which is dated September 24, 1877, signed by Eli Bloom, prothonotary, and has the seal of the court of common pleas attached thereto; that is, the seal of the court of Clearfield County.)

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in said Woodward Township, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you paid a State or county tax within the two years immediately preceding November 5, 1878, that was assessed at least two months and paid at least one month before November 5, 1878?

(Objected to for the reason that the receipt is the best evidence of the payment of such taxes, and until the loss or destruction of the documentary evidence is shown, parol proof is inadmissible and incompetent.)

A. Yes, sir.

Q. Have you a receipt for such payment?—A. I had a receipt, but mislaid it; I can't find it.

Q. To whom did you pay such taxes?—A. Joseph Higgins.

Q. When?—A. It was in July or August, 1877.

Q. Did you vote in the election district of said Woodward Township, at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress.

(Objected to because witness cannot be compelled to answer the question until it shall have been shown that his vote was illegal.)

A. Yocum.

Q. Do you or not mean Seth H. Yocum?

(Objected to because it is leading.)

A. Yes, sir.

Cross-examined:

Q. How do you know you voted for Yocum on the 5th of November, 1878?—A. I know, because I read his name.

Q. Did you read the ticket you voted on November 5, 1878, with such care and attention as enables you to swear positively that you voted for Yocum for Congress?—A. Yes, sir.

Q. Have you recollected ever since the election of November 5, 1878, that you voted for Yocum, or has your memory been refreshed since that time?—A. I recollected ever since I voted for him.

Q. Will you read all the indorsements that appear on the back of your certificate of citizenship and permit the notary to make a copy thereof?—A. Yes, I will.

(It reads as follows: "1877 certificate of citizenship of William Pooler, 24 September, 1877.")

Q. Is that all the indorsement that appears on the back of your certificate of citizenship?—A. Yes.

Q. Did you vote at the general election of November, 1877?—A. The first time I voted here I voted for Yocum.

Q. Did you vote in Woodward Township, Clearfield County, Pennsylvania, on the 5th of November, 1878, and did the board of said election make any indorsements in writing or printing on your certificate of citizenship?—A. Yes; I voted in Woodward Township. No; they made no marks on my certificate of citizenship. They did not ask me for it.

Re-examined:

Q. Was you or not acquainted with the election board and did they

or not know that you was a naturalized citizen?—A. One of the board saw me get my papers.

And further saith not.

WILLIAM POOLER.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

J. D. MAFFITT sworn.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania. About 37 or 38 years of age.

Q. Where was you born?—A. In Easton, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding the 5th of November, 1878?—A. Yes, sir.

Q. Had you within two years preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. To whom and when did you pay such tax?—A. I paid it in June, between the 15th and 10th in 1877, to Joseph Higgins.

Q. Was Joseph Higgins the collector or not of State and county taxes? (Objected to because it is not the best evidence.)

A. He was, I guess; he came there, to the place of my residence.

Q. Was or was not Joseph Higgins collector of State or county taxes? (Objected to for same reason as in preceding objection.)

A. I believe he was.

Q. Did you or not get a receipt from Higgins for said taxes, and if so, where is it?—A. I got a receipt from him, but I got it mislaid some way or other.

Q. Is it lost so that you cannot find it?—A. I looked for it. Cannot find it yet.

Q. Did you vote in the election district of Woodward Township at the general election held therein on November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Counsel for contestant objects to this question for the reason that witness cannot be compelled to answer it unless he desires so to do until it has been shown that his vote is illegal.)

A. I voted for Yocum.

Q. Did you or not, at said election, vote for Seth H. Yocum for Congress?—A. I did.

Cross examined:

Q. Where was your father born?

(Objected to because it is immaterial and irrelevant.)

A. He was born in this country.

Q. What tax did you pay Joseph Higgins?

(Objected to because the witness has already testified that he paid Higgins a State and county tax, and the purpose is to mislead the witness and is unfair and improper.)

Counsel for contestant objects to the objection of counsel for contestee for the reason that it is a suggestion of the answer desired by counsel for contestee and is put in the form of an objection as a mere pretext and for the further reason that it is an improper objection and is put for the purpose of interrupting the cross-examination of this witness.)

A. State and county tax 1877.

Q. What other taxes did you pay him?—A. Did not pay any; that's all I paid him.

Q. Did you pay him yourself?—A. Yes, sir.

Q. In money?—A. Yes, sir.

Q. Where is your receipt for the payment of the same?—A. I either lost it or mislaid it.

Q. Where did you live in 1876?—A. In Woodward Township.

Q. Did you read your ticket you voted at the election of November 5, 1878?—A. Yes, sir.

Q. What other names were on that ticket?—A. I don't remember just what they were.

Q. Give me one name that was on your ticket; this question is put to test the memory of the witness.

(Objected to because the witness has already testified in substance that Seth H. Yocum for Congress was on his ticket, and the purpose of the question is to mislead the witness.)

A. I don't remember it.

Q. Do you swear that you cannot remember one name that was on the ticket you voted at the election of November 5, 1878?

(Objected to because the witness has already testified in substance that Seth H. Yocum's name was on his ticket.

Counsel for contestant objects to the receiving of the testimony of this witness and to the considering of the same by the committee of Congress who shall hear this case, for the reason that counsel for contestant are not permitted to cross-examine the witness without the repeated suggestive objections of counsel for contestee which destroy the effectiveness of the cross-examination.)

A. I don't remember it.

Re examined:

Q. Do you or not know that Seth H. Yocum's name was on the ticket you voted November 5, 1878?

(Objected to because it is leading and suggests the answer desired by counsel for contestee, and contestee seeks to contradict his own witness.)

A. Yes, sir; it was.

And further saith not.

J. D. MAFFITT.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

D. J. KLINE sworn.

Question. Where do you reside?—Answer. In Woodward Township, Clearfield County, Pennsylvania.

Q. What is your age and where was you born?—A. Thirty-nine years of age. I was born in Pennsylvania.

Q. Are you married, and had you and your wife resided in said Woodward Township continuously for the one whole year or more immediately preceding November 5, 1878?—A. Yes, sir; since 1864.

Q. Did you within two years preceding November 5, 1878, pay a State or county tax, and will you produce receipt for the same?—A. Yes, sir.

(Witness produces receipt which is dated January 29, 1878, for his State and county tax, signed by J. G. Higgins, collector.)

Q. Did you vote in the election of said Woodward Township, on November 5, 1878, and if so, for whom did you vote at said election for Congress.

(Counsel for contestant objects to that part of the question which seeks to ascertain how the witness voted on Congress, whilst the witness cannot be compelled to answer for whom he voted until it shall be shown that his vote was illegal.)

A. Yes, sir; I voted for Yocum.

Q. Do you or not mean that you voted at said election for Seth H. Yocum for Congress; that is at the election of November 5, 1878?—A. Yes, sir.

And further saith not.

D. J. KLINE.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

6.15 o'clock p. m., March 22, 1879, adjourned until 7.15 p. m., same day.

7.15 o'clock p. m., same day, examination resumed.

MICHAEL O'SHEA sworn.

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania. I am 27 years old next April.

Q. Where were you born?—A. In Ireland.

Q. How old was you when you came to the United States from Ireland?—A. About seven months old.

Q. Did you or not come to the United States with your father?—A. Yes, sir; I did.

Q. Has or has not your father been naturalized, and if so, when?

(Counsel for contestant objects to this question and the answer of the witness thereto, because his father's certificate of naturalization is a matter of record and it is the best evidence, and for the further reason that parol evidence cannot be given to establish the fact it is sought to establish, until it shall have been shown that the record and documentary evidence has been lost or destroyed.)

A. Yes, sir; he was naturalized. I know his first vote was at the time of Lincoln's first election in 1860.

Q. Have you or not frequently seen your father's naturalization papers?

(Objected to for the same reasons as in objection to preceding question.)

A. Yes, sir; I have.

Q. Where was he naturalized?

(Objected to because the certificate of his naturalization is the best evidence, and if said certificate has been lost or destroyed, a certified copy of the records thereof would be the best evidence, and until the loss or destruction of the best evidence is proven, parol proof is inadmissible and incompetent.)

A. In the State of Pennsylvania; his first papers were got in Blair and his second in Huntingdon County.

Q. Where is your father's certificate of naturalization?—A. He has them in his house.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Did you within the two years immediately preceding November 5

1878, pay a State or county tax; and, if so, will you produce receipt for the same?—A. Yes, sir.

(Witness produces receipt of J. G. Higgins, dated September 28, 1878, for his State and county tax for 1877.)

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum.

Q. About how many years ago was your father naturalized?

(Objected to by counsel for contestant, because it is not the best evidence, and for the reason that the record of his father's naturalization as well as the certificate thereof, have not been proven to have been lost or destroyed, and therefore parol evidence is inadmissible to establish the facts sought to be established by the testimony of the witness.)

A. Some time in the year 1860, I think.

Cross-examined:

Q. Did you read your ticket?—A. Yes, sir.

Q. Will you produce the certificate of your father's naturalization?—

A. Yes, sir; if required.

Q. Did you pay these taxes to Higgins yourself, and in money and at the date mentioned in the receipt?—A. No, sir; I was working; left the money at my house, and my wife paid them for me.

Q. Who gave you the receipt?—A. My wife gave it to me when I came home that evening.

Re-examined:

Q. Did you or not leave the money with your wife, and direct her to pay said taxes, and did she or not give you the receipt on the day mentioned in the receipt?—A. Yes, sir.

And further saith not.

MICHAEL O'SHEA.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN MINTO sworn.

Question. Where do you reside, and what is your age?—Answer. Houtzdale Borough, Clearfield County, Pennsylvania; 41 years of age the sixth of this month.

Q. Where was you born?—A. In England.

Q. Have you been naturalized; and, if so, will you produce your certificate of naturalization?—A. Yes, sir.

(Witness produces certificate of naturalization dated September 3, 1872, and signed by W. A. Thomas, prothonotary, and there is attached thereto the seal of the court of common pleas of Bradford County, Pennsylvania.)

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in the election district of said Houtzdale Borough continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes.

Q. Did you within two years immediately preceding November 5, 1878, pay a State or county tax; and, if so, will you produce the receipt for the same?—A. Yes, sir; paid it in good time, too.

(Witness produces receipt dated May 31, 1878, signed by D. McGaughey, for his county and State taxes for the year 1878.)

Q. Did you or not receive said receipt from D. McGaughey, county

treasurer, on May 31, 1878?—A. I could not say; it was him or his clerk; I don't know the man. I saw a notice to pay in May and save 5 per cent., and where to go to pay it.

Q. Did you vote in the election district of Houtzdale Borough at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Seth H. Yocum.

Cross-examined:

Q. Will you read the indorsement on the back of your certificate of naturalization?—A. Yes, sir; it reads as follows: John Minto voted No. 3, 1874.

Q. Are these all the indorsements on the back of your certificate of naturalization?—A. Yes, sir.

Q. Did you read the ticket which you voted on November 5, 1878?—Yes, sir.

Re-examined:

Q. Where did you vote in November, 1874?

(Objected to by counsel for contestant, because the indorsements on the back of his certificate of naturalization are the best evidence.)

A. In Bradford County, Pennsylvania.

Q. When you voted November 5, 1878, in Houtzdale Borough, did or did not the election board know that you were naturalized?

(Objected to because the witness could not possibly know the fact he is asked to establish by his testimony, and for the further reason that no indorsement appears upon his certificate of naturalization, which is the best evidence; and for the further reason that the members of the election board are competent, and their testimony can be had.)

A. Yes, sir.

And further saith not.

JOHN MINTO.

Attest:

[SEAL]

W. N. PROTHERO,
Notary Public.

WM. VALLANCE sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; I was 38 years old 22d of December last.

Q. Where was you born?—A. I was born in Pennsylvania, in Clinton County.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside in said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November, 5, 1878, paid a State or county tax?—A. Yes, sir.

(The above question and answer is objected to because it is not the best evidence.)

Q. When did you pay such State and county tax?—A. I paid it on the 15th or 17th of November, 1876.

Q. Did you vote at the general election held in the election district of said Woodward Township on November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Yocum.

Q. Do you or not mean Seth H. Yocum?—A. Yes, sir; certainly.

Cross-examined :

Q. Where did you live in 1876?—A. I lived in Centre County.

Q. Did you vote at the Presidential election of 1876?—A. I did, sir.

Q. Where did you live in 1877?—A. In Woodward Township.

Q. Is the tax you have spoken of the only tax you have paid within two years, and is it the last tax you have paid?—A. Yes, sir.

Q. Was this tax paid in time to entitle you to vote at the Presidential election of 1876?—A. I don't think it was; I think the Presidential election was before the 15th of November.

Q. When did you come to Woodward Township?—A. I came in April, 1877.

Q. Did you ever live in Bradford County?—A. No, sir.

Q. How do you fix the date when you paid these taxes you have spoken of?—A. I kept it by the receipt.

Q. Will you produce that receipt?—A. I can't, for I tore it up just after I got it out of the polls at the last election.

Q. Did you see that receipt written?—A. I did, sir.

Q. On what day, and in what month, and in what year was it written?—A. It was either the 15th or 17th of November, 1876.

Q. When you say it was on either the 15th or 17th of November, 1876, do you not rely upon the date you say was on your receipt?—A. I do depend upon it; it was one of the dates.

Q. Aside from this receipt, can you swear when your taxes were paid?—A. Yes, sir.

Q. Now, do you swear that you paid a State or county tax on the 15th or 17th day of November, 1876?—A. Yes, sir.

Q. To whom did you pay that tax?—A. James Watson.

Q. Where does he live and what is his post-office address?—A. Snow Shoe Township; Snow Shoe post-office, Centre County, Pennsylvania.

Q. Was this tax assessed against you?—A. I suppose it was; it was in the duplicate anyhow.

Q. Did you read the ticket which you voted on November, 5, 1878?—A. I did.

Q. Give me some of the names that were upon that ticket.—A. I will give you Yocum and Caldwell.

Q. Can you give any more?—A. No.

Q. For what office was Caldwell a candidate?—A. For senate.

Re-examined :

Q. Are you or not certain that you paid said taxes in November, 1876, and after November 10, 1876?—A. I am certain.

And further saith not.

WM. VALLANCE.

Attest.

[SEAL.]

W. N. PROTHERO,
Notary Public.

Ten o'clock p. m., March 22, 1879, adjourned until 8 a. m., March 24, 1879.

Eight o'clock a. m., March 24, 1879, examination resumed.

DAVID LITZ sworn.

Question. Where do you reside, and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; 33 years old next April.

Q. Where were you born?—A. Clearfield County, Pennsylvania.

Q. Are you married ; and, if so, had you and your wife resided in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; for five years.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax?—A. Yes, sir.

Q. When and to whom?—A. In last of April, 1878; to Joseph Higgins.

Q. How do you fix the time as in April, 1878?—A. I was down the river and came up on the cars; I paid it coming up on the cars to Higgins.

Q. Did you take his receipt?—A. No, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Yocum.

Q. Do you mean Seth H. Yocum?—A. Yes sir.

Q. What ticket did you vote?

(Objected to because it is immaterial and irrelevant.)

A. Republican.

Q. Did you or not read the name of Seth H. Yocum for Congress that you voted?

(Objected to by counsel for contestant for the reason that counsel for contestee in his question assumes that the witness read his ticket, while he has not so testified; and for the further reason that it is leading.)

A. I did.

Q. Are or are you not, because of reading the ticket, certain that you voted for Seth H. Yocum for Congress?

(Objected to for same reasons as in objections to preceding question.)

A. I am certain I voted for Yocum.

Cross-examined:

Q. What other names were on your ticket which you voted on November 5, 1878?—A. Well, I can't recollect them.

Q. Can you recollect one of them?—A. No; don't know as I can.

Q. Now, why is it that you can recollect that the name of Seth H. Yocum was on the ticket you voted at said election?—A. Because Curtin was running against him.

Q. Then the only reason you have for saying that you voted for Yocum is because Curtin was running against him, is it not?—A. Yes, sir.

Q. Then I understand you to say, do I not, that you do not rely upon seeing his name on your ticket?—A. His name was on my ticket.

Q. Do you swear that the name of Seth H. Yocum was on your ticket?—

A. Well, Yocum's name was on it; I don't mind about Seth H.

Q. Then you are positive, are you, that Yocum's name was on your ticket?—A. Yes, sir.

Q. You are not positive, however, that the name of Seth H. Yocum was on your ticket?—A. I am not positive as to all the letters were on. I am positive that Yocum's name was on.

Q. When did you move into Woodward Township?—A. Five or six years ago I moved to Woodward Township.

Q. Have you resided in that township ever since?—A. Yes, sir.

Q. How much tax did you pay Joseph Higgins in the spring of 1878?—

A. I think it was \$1.50 or \$1.55, or about that.

Q. What kind of tax was it you paid Joseph Higgins?—A. State and county.

Q. Had this tax been regularly assessed against you?—A. Yes, sir.

Q. For what year was it?—A. For 1877.

Q. Why is it that you did not take a receipt for the payment of the same?—A. We had no paper and ink on the cars.

Q. Had you no paper there at all?—A. I had none.

Q. Why did you not get a receipt from him when you came home?—A. I trusted to his honesty to mark it off the duplicate.

Q. Now, since you had no receipt for the payment of your taxes, how did you come to be permitted to vote at said election?—A. I was not asked for any tax receipt.

Re-examined:

Q. Was your vote challenged?—A. No, sir.

Q. Did you or not vote for the man for Congress who was running against Andrew G. Curtin?

(Objected to by counsel for contestant, for the witness has already said that he voted for Yocum, and that he cannot swear positively that the name of Seth H. Yocum was not on his ticket, and that the question is leading.)

A. I did.

And further saith not.

DAVID LITZ.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN BOTTORFF sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; age, forty-four years.

Q. In what State were you born?—A. In Pennsylvania.

Q. Are you married; and, if so, did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax; and, if so, will you produce receipt for such payment?—A. Yes, sir.

(Witness produces receipt, dated September 17, 1878, for State and county tax for 1877, signed by J. G. Higgins, per E. A. H.)

Q. Did you or not pay on September 17, 1878, your State and county tax assessed for the year 1877?

(Objected to by counsel for contestant, because it is not the best evidence, for the reason that it is shown by the testimony of the witness that he has a receipt for the payment of the same, and for the further reason that parol evidence cannot be given as a substitute for documentary evidence.)

A. Yes sir.

Q. Did you vote at the general election of November 5, 1878, in the election district of said Woodward Township?—A. Yes, sir.

Q. What ticket did you vote?—A. Republican.

Q. Did you or not vote the whole straight Republican ticket?—A. I don't know how to answer that, gentlemen. I think I voted for Yocum.

Q. Have you or have you not, since you testified at Clearfield some weeks ago, been considering the question as to whom you voted for for Congress.

(Counsel for contestant objects to this question, for the reasons, first, that it is a question framed from an explanation made by the witness in explanation to the answer of the preceding question, which was not taken down; secondly, because the question is leading.)

The witness did make some explanation aside, but stated that it was not a part of his answer.

W. N. PROTHERO,
Notary Public.

(Counsel for contestant object to the statement which has just been placed upon the record, for the reason that, under the act of Congress regulating the taking of testimony in contested rights for seats in the Congress of the United States, it is the bounden duty of the commissioner taking such testimony to reduce to writing the questions asked by counsel for the parties, and also the answers of the witnesses thereto, and said officer cannot be the judge of what is the answer to the question where the witness makes a statement in connection with his direct answer, but the whole answer and statement must be taken down and reduced to writing, that the committee may be able to ascertain the answer of the witness as he wishes it to be received.)

A. Yes, sir.

Q. Now, to the best of your knowledge, did you or did you not vote for Seth H. Yocum for Congress?—A. Yes, sir; I did.

Q. What are your politics?

(Objected to because it is immaterial and irrelevant.)

A. Republican.

Cross-examined:

Q. How do you know you voted for Seth H. Yocum for Congress at the election of November 5, 1878?—A. He was on the ticket.

Q. How do you know he was on your ticket?—A. I read his name on it.

Q. When did you read his name on your ticket?—A. The morning of the election.

Q. What other names were on your ticket?—A. Well, sir, I don't remember only Hoyt's name.

Q. Give me all the names you can remember that were on your ticket that you voted on November 5, 1878?—A. I can't remember only the two names.

Q. Give me those two names as they were on your ticket.—A. Hoyt and Yocum.

Q. What Hoyt, and for what office was he running?—A. For governor. I don't know his initials.

Q. What Yocum, and for what office was he running?—A. For Congress; don't know his initials either.

Q. Then you cannot swear positively that you voted for Seth H. Yocum for Congress, can you?—A. I believe I can.

Q. Now, if you cannot remember the initials that were on your ticket, how can you swear that you voted for Seth H. Yocum?—A. Well, he is the only man that I can remember being on the ticket—the only Yocum.

Q. Why did you swear, then, in answer to a preceding question, that you could not remember the initials of Yocum upon your ticket?—A. I have a poor memory, I suppose.

Q. How was your memory refreshed that you can now swear that you voted for Seth H. Yocum, whilst a few minutes ago you swore you did not remember the initials of the Yocum you voted for for Congress?—A. Well, gentlemen, I'll just tell you. Since I was to Clearfield I have been studying about this. To the best of my knowledge, I voted for Yocum. The sheep law I did not vote for, gentlemen, and that was the reason

why I was not positive whether I voted for Yocum when I was at Clearfield.

Q. Then, if Seth A. Yocum was a candidate on your ticket for Congress, did you vote for him?

(Objected to because the purpose is to mislead the witness, inasmuch as he has already sworn that to the best of his knowledge he voted for Seth H. Yocum, there being no Seth A. Yocum a candidate for Congress.)

Counsel for contestant denies that the purpose of this question is to mislead the witness, but asserts that it is put for the purpose of testing the memory of the witness. And it is further objected to for the reason that in his objection counsel for contestee assumes that witness has sworn that he voted for Seth H. Yocum for Congress, while in his cross-examination the witness swears that, to the best of his knowledge, he voted for Yocum, and does not give his initials. It is objected to for the further reason that votes were polled in the twentieth Congressional district for Seth A. Yocum as well as for Seth H. Yocum, and it is important that contestant should know whether witness voted for S. A. Yocum or S. H. Yocum. And it is objected to for the further reason that it is a suggestion (under the pretext of an objection) of the answer desired by contestee, and is consequently an interference with the cross-examination of the witness by counsel for contestant.)

A. I voted for the man that was on my ticket, whether it was Seth A. Yocum or Seth H. Yocum, or whatever it was.

Q. And you say, do you not, that you cannot swear positively what the initials were of the Yocum which was on your ticket which you voted on November 5, 1878?—A. No, sir; I could not.

Q. Did you pay yourself, and in money, the taxes for which you have produced a receipt?—A. Yes, sir; I did.

Re-examined:

Q. Did you, or did you not, on November 5, 1878, vote for the man who was running against Andrew G. Curtin for Congress?—A. Yes, sir.

Recross-examined:

Q. How do you know you voted for the man who was running against Andrew G. Curtin for Congress?—A. They told me Yocum was running against Curtin.

Q. What Yocum did they tell you was running against Curtin for Congress?—A. Yocum. They didn't say what Yocum.

And further saith not.

JOHN BOTTORFF.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

THOMAS TOWNSON sworn.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania. My age is 56 years.

Q. Where was you born?—A. In England.

Q. Have you been naturalized; and if so, where are your papers of naturalization or certificate?—A. Yes, sir.

(Witness produces certificate, dated August 25, 1851, signed by James Sill, jr., prothonotary, to which is attached the seal of the court of Delaware County, Pennsylvania.)

Q. Are you married; and if so, did you and your wife reside in the

election district of Woodward Township, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir. Yes, sir.

Q. Did you pay a State or county tax within the two years immediately preceding November 5, 1878; and if so, will you produce receipt for same?—A. Yes, sir.

(Witness produces receipt, dated May 30, 1878, for his county and States taxes for the year 1878, dated at Clearfield, Pennsylvania, and signed D. McGaughey, treasurer.)

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Counsel for contestant objects to this question, for the reason that the witness cannot be compelled to divulge for whom he voted at said election for Congress until it shall have been shown that he was an illegal voter.)

A. Yocum.

Q. Was or was it not Seth H. Yocum?—A. Yes, sir.

Q. Was or not the tax for which you have produced a receipt paid on the date mentioned in said receipt?—A. Yes, sir.

Q. Was you or not naturalized on August 25, 1851?

(Counsel for contestant objects to the receiving of parol proof to show when witness was naturalized, until it shall have been shown that the record and his certificate of naturalization have been lost or destroyed, for the reason that it is not the best evidence.)

A. I believe I was, to my knowledge.

Q. When did you move into Woodward Township?—A. In 1870, in April.

Q. Have you lived there ever since?—A. Yes, sir.

Q. How do you know you voted for Seth H. Yocum for Congress?—

A. His name was on my ticket.

Q. Did you read your ticket?—A. Yes, sir.

Q. What names were on that ticket?—A. I am not qualified to tell all the names that were on it.

Q. Give me one of them?—A. I don't know that I recollect just now, only I recollect Yocum.

Q. Why is it that you cannot recollect any others beside Yocum?—A. The most note that I took was about Congress. That was of the most importance.

Q. Do you swear that the name of Seth H. Yocum was on your ticket which you voted on November 5, 1878?—A. Yes, sir.

Q. Did you yourself pay the State and county tax for which you have produced a receipt?—A. I gave my son the money to pay it.

Q. From whom did you receive your receipt?—A. From my son.

Q. Will you read the indorsements that appear on the back of your certificate of naturalization?—A. Yes. Witness reads as follows: "Thomas Townson, certificate of naturalization."

Q. Is this the only indorsement on the back of your certificate of naturalization?—A. Yes, sir, to my knowledge.

Q. Where did your family reside on October 1, 1878?—A. In Woodward Township, Clearfield County, Pennsylvania.

Re-examined:

Q. Have you been voting in Woodward Township since you moved there?—A. Yes, sir.

Q. Do you mean at each general election since you moved there in 1870?—A. I have been entitled to vote ever since. I don't recollect.

Recross-examined :

Q. Then you do not know positively whether you have voted in Woodward Township for five consecutive years immediately preceding November 5, 1878, do you?—A. Well, I don't attend the polls regularly. It is a good little piece away from home, and the question is, I suppose, whether I voted for Yocum or not. I know I voted for Yocum.

And further saith not.

his
THOMAS + TOWNSEND.
mark.

Attest :
[SEAL.]

W. N. PROTHERO,
Notary Public.

THOMAS STEEL sworn.

(Counsel for contestant objects and protests to the taking of the testimony of this witness, now sworn, for the reason that the contestant has notice of the taking of the testimony of Thomas Steel, of either Houtzdale Borough or Woodward Township, which notice contestant claims is insufficient and does not comply with the requirements of the provisions of the act of Congress regulating the taking of testimony in contested rights for seats in the Congress of the United States, in that it does not give with certainty the residence of the witness.)

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania. I will be 49 years old 4th day of April next.

Q. Where was you born?—A. I was born in England.

Q. Have you been naturalized ; and, if so, will you produce your certificate of naturalization?—A. I have.

(Witness produces certificate of naturalization dated October 14, 1870, and signed by Jno. P. Reed, prothonotary, to which is attached the seal of the court of common pleas of Bedford County, Pennsylvania. The indorsements on back of the said certificate are as follows :

“Prot. Recd. \$1.00, paid by Sech T. Barclay. Voted on Oct. 10th, 1871, Broad Top Twp., Bedford Co., Pa., I. E. Latterfield, cl'k. Voted Oct. 8, '72 ; at same polls, Oct. 14th, 1873. Voted Nov. 3d, 1874. Voted Nov. 7th, 1876. Voted Feb. 19, 1878. Voted at Woodward, Nov'r 5th, 1878. Certificate of the naturalization of Thomas Steel.”

Q. Were you naturalized Oct. 14, 1870, being the date in said certificate?—A. I was.

Q. Are you married ; and if so, did you and your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir ; yes, sir.

Q. Did you, within the two years immediately preceding November 5, 1878, pay a State and county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. I did. (Witness produces receipt, dated August 26, 1878, for State and county taxes for the year 1877, signed by I. G. Higgins.)

Q. Did you pay Higgins, the collector, said tax on August 26, 1878?—A. I did.

Adjourned at 12.30 p. m. same day, to meet at 1.15 p. m. same day.

And now, 1.40 p. m., witness appears, and examination is resumed.

Q. Did you vote in the election district of said Woodward Township at the general election held November 5, 1878?—A. I did.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Did you read your ticket?—A. I did not, sir.

Q. Who gave you the ticket you voted?—A. I got my ticket from Mr. Diffibaugh. I took my ticket I got of Mr. Diffibaugh—a gentleman I was well acquainted with—to read my ticket, to see whether correct or not.

Q. Did Diffibaugh read from the ticket you voted the name of Seth H. Yocum for Congress?—A. Yes, sir.

Q. What are your politics?—A. My politics is Republican.

Q. What are the politics of Diffibaugh, the man who gave you the ticket you voted?

(Counsel for contestant objects to the question for the reason that Diffibaugh is a competent witness and is the best evidence of what his politics is, and for the reason that it is hearsay.)

A. As far as I can understand of the gentleman, he was a Republican.

Cross-examined:

Q. Was the State and county tax you paid Higgins, in 1878, assessed against you?—A. Yes, sir.

Q. Did you read the ticket which you voted on November 5, 1878?—A. I did not, sir.

Q. Then you rely, do you, upon what others told you, when you swear you voted for Seth H. Yocum on November 5, 1878, for Congress?—A. I do.

Q. You cannot, can you, swear positively that you voted for Seth H. Yocum for Congress on November 5, 1878?—A. Yes, sir; I believe I can.

Q. Now, since you did not read your ticket, how can you swear positively that you voted for Seth H. Yocum for Congress at said election?—A. Because I am well acquainted with the gentleman that read my ticket.

Q. Then if the gentleman who read your ticket made a mistake in the name of the candidate for Congress, are you not mistaken?—A. No, sir.

Q. How do you know you are not mistaken, or could not be mistaken, if such were the case?—A. I know the gentleman, Whitfield Eddy, the man that heard my ticket read.

Q. Then aside from what Diffibaugh and Eddy told you, have you any knowledge of how you voted?—A. Yes, sir.

A. What other knowledge have you?—A. Well, the knowledge I have, I got my ticket from Mr. Diffibaugh, and I let Mr. Eddy see it, and he read it to me, and I voted the ticket I got of Mr. Diffibaugh.

And further saith not.

THOMAS ^{his} + STEEL.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN TOWNSON produced and sworn.

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; 23 years old 22d day of February last.

Q. Was you born and have you always resided in Pennsylvania?—
A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I did.

(Witness produced receipt dated September 21, 1878, for county and State taxes for the year 1878, signed by Thomas Henderson, collector.)

Q. Was Henderson the collector of such taxes, and did you pay them to him on the date of your receipt, being September 21, 1878?—A. Yes, sir; yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Seth H. Yocum, I believe.

Q. Did you read your ticket that you voted?—A. Yes, sir.

Q. Then are you not certain that you voted on November 5, 1878, for Seth H. Yocum for Congress?—A. I voted for that man whenever the election was.

Cross examined:

Q. From whom did you get the ticket which you voted on November 5, 1878?—A. Joseph Reigel.

Q. What politics is Joseph Reigel?—A. I believe he was a Greenback man, as far as I know.

Q. Did you read your ticket?—A. Yes, sir.

Q. What other names beside Seth H. Yocum was on your ticket?—A. Seth H. Yocum, I believe, was the man's name.

Q. What other names beside Seth H. Yocum did your ticket contain?—A. I don't just remember now.

Q. Can you remember any other names that was on your ticket?—A. Don't know as I can just now.

Q. Then why can you remember that your ticket contained the name of Seth H. Yocum and you cannot remember any other names that were on your ticket?—A. Why, I cannot hardly tell you.

Q. Where were you living on the 1st day of September, 1878?—A. In Woodward Township with my father.

Q. Did you yourself pay Thomas Henderson the tax of which you have testified?—A. Yes; I paid him myself.

Q. Did you pay those taxes on the same day the receipt is dated?—
A. Yes, sir.

And further saith not.

JOHN W. TOWNON.

Attest:

[SEAL.]

WM. N. PROTHERO,
Notary Public.

JAMES LACEY sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; don't know my age exactly; it's thirty-five or thirty-six years.

Q. Where was you born?—A. In Ireland.

Q. Were you ever naturalized ; and if so, when was it ; and have you your papers with you ?—A. Yes, sir ; in October, A. D. 1876, I think.

(Witness produces certificate of naturalization from the court of common pleas of Clearfield County, dated October 6, 1876, naturalizing James Lacey, a native of Ireland, signed by A. M. Bloom, deputy prothonotary, with the following indorsements on the back, as follows : “ Certificate of citizenship of James Lacey. Voted the 7th, 1876.”)

Q. Were you under the age of 18 years when you arrived in this country ?—A. Yes, sir.

Q. Were you ever married ?—A. Yes, sir ; I am now.

Q. Did you with your wife and family reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878, and in Woodward Township, Clearfield County, Pennsylvania, for more than two months immediately preceding said election ?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election, that was assessed more than two months and paid more than one month prior to said election ?—A. Yes, sir.

(Witness produces receipt, dated September 26, 1878, for State and county taxes of James Lacey, for 1877, signed by J. G. Higgins for E. A. How.)

Q. Did you vote in the election district of Woodward Township at the election of November 5, 1878 ?—A. Yes, sir.

Q. For whom did you vote at said election for Congress ?

(Counsel for contestant objects to this question for the reason that it is a matter of privilege and the question is an improper one and the witness cannot be compelled to answer it until it shall be shown that his vote was illegal.)

A. I voted the Greenback ticket.

Q. Did you vote for the Greenback candidate for Congress ?—A. I voted the ticket right through.

Q. The Greenback candidate for Congress at said election was Seth H. Yocum ; did you vote for him ?—A. When the man handed my ticket, I asked him if Yocum's name was on it ; he said it was, and I voted it.

Q. Who handed you your ticket ?—A. Michael O'Shea.

Cross-examined :

Q. You cannot swear, can you, positively, that you voted for Seth H. Yocum for Congress ?—A. I can swear that I voted the Greenback ticket.

Q. Did you see the name of Seth H. Yocum on the ticket ?—A. I could not read it.

Q. Can you read ?—A. No, sir.

Q. Then you depend, do you, upon what others told you, do you, when you swear that you voted for Seth H. Yocum for Congress ?—A. I believe the man that gave it to me would not deceive me. Yes, I depend that he would not fool me or deceive me.

Q. Now, do you not rely upon what others told you when you say you voted for Seth H. Yocum for Congress ?—A. Yes ; I believe he would not deceive me.

Q. Now, do you not depend on what others told you when you say you voted for Seth H. Yocum for Congress ?—A. Yes, I depend.

Q. When were you born ? Give the day, month, and year.—A. I don't know when I was born.

Q. When did you come to this country ?—A. I heard our folks say it was in 1849.

Q. Have you ever been out of the country, and have you ever been in the kingdom of Great Britian since?—A. I never was out of the country since.

Q. How old were you when you were naturalized?—A. I could not tell exactly. About 33 or 34 years.

Re-examined:

Q. Did you pay any State or county taxes in 1877?—A. I did.

Q. Who to?—A. I don't remember his name. He came around collecting for Joe Higgins.

Q. Do you remember whether it was the same man that you paid the taxes to called for in the receipt which you produced?—A. It was the same man that gave me the receipt which I produced.

Recross-examined:

Q. Did you pay these taxes yourself?—A. Yes; I paid these taxes myself.

Q. From whom did you get the receipt for the taxes you paid in 1878?—A. I got the receipt from the man I paid the money to.

And further saith not.

his
JAMES + LACEY.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

SAMUEL STILES sworn.

Question. Where do you reside?—Answer. In Gulich Township, Clearfield, in Janesville. Smith's Mills is the name of the post-office.

Q. Do you know John M. Krise, of Gulich Township?—A. I know a John Krise of Gulich Township; don't know whether he has a middle letter in his name or not.

Q. I mean John Krise that was called here as a witness a few days ago.

(Counsel for contestant objects to this question and the answer of the witness thereto, for the reason that unless the witness knows of his own personal knowledge that John M. Krise was a witness, his evidence is hearsay, and incompetent as testimony.)

A. I know that there is no other John Krise in Gulich Township.

Q. When did John Krise come to live in Gulich Township; during last summer or fall?—A. About on the 8th day of September, 1878, he came to my house to stay all night. To the best of my knowledge, he went to Jim Flynn's on the 9th of September.

Q. Don't you know it was on the 8th day of September, 1878?—A. He came to my house on Sunday evening. I marked the time because I thought he was an unlegal voter when the election would come. I warned Mr. David that he had no right to vote on the day of the election.

Q. What office did Mr. David hold on the election board?—A. Inspector.

Q. I understand you to say that the reason you noted down the date when Krise came to your house was because he had no legal right to vote?

(Objected to by counsel for contestant for the reason that the witness has already answered the question, and for the reason that the witness is not the judge of who is or is not a legal voter; and for the further reason that the question is leading.)

A. Noted down? I kept it in my mind because I thought he had no right to vote.

Q. How far do you live from the house of Wm. L. David, and what relation is he to you, if any?

(Counsel for contestant objects because it is immaterial and irrelevant.)

A. He is my brother-in-law. At the day of the election I lived the fourth house from him. I am a little wrong there; when John Krise came there to stay all night, I lived in the fourth house from him.

Q. Where did Krise go to live after he left your house?

(Objected to because it is immaterial and irrelevant.)

A. To James Flynn.

Q. Had Krise been at Wm. L. David's to stop, and why did he not stay there, if you know?

(Objected to for the reason that John Krise has been made a witness by the contestee and was the best evidence why he left Wm. L. David's, and Wm. L. David is a competent witness and his testimony can be had. And it is objected to for the further reason that it is immaterial and irrelevant.)

A. By hearsay, they had no room for him.

Q. Did Krise tell you the reason he did not stop at David's was because they had no room?

(Objected to for the reason that Krise is a competent witness and his testimony is the best evidence, and for the further reason that it is immaterial, incompetent, and hearsay.)

A. David or Krise told me.

Q. Did he then stay at David's at that time?

(Objected to for the reason that Krise has been made a witness by contestee, and it is not proper for contestee to contradict his own witness.)

A. No, he staid all night at my house.

Q. Did Krise live at Side Shofe's, in Beccaria Township, before coming to your house?

(Objected to by counsel for contestant, for the reason that Sides Shofe has been made a witness by contestee and he is a competent witness and his testimony is the best evidence; and unless it be shown that the best evidence cannot be had the testimony of the witness is incompetent to prove the fact it is sought to establish by his testimony, and because it is hearsay.)

A. It is only hearsay; he told me he did.

Q. When did Krise bring his clothing, &c., into Gulich Township from Beccaria?

(Objected to because Krise is a competent witness and his testimony is the best evidence and can be had, and until it be proven that it cannot be had the testimony of the witness is incompetent.)

A. On the 12th or 13th of September, I believe, he fetched them in; I saw him going through Janesville or up street.

Q. When he came to your house, did he come to live or remain permanently, or to stay all night?

(Objected to for the reason that the witness could not possibly know the intention of Krise, and the testimony of Krise can be had and is the best evidence, and therefore the testimony of the witness is incompetent.)

A. I might have kept him two or three days without turning him off.

Q. Are you positive that John Krise came into Gulich Township within two months preceding the election of November 5, 1878, to live there?

(Objected to for the reason that contestee having made a witness out of John M. Krise cannot contradict the testimony of his own witness.)

A. I believe he did not come into the township 60 days before the election to live, because I told him that James Flynn had been asking me how he would suit him. I told John Krise I thought he could get a chance to live at Jim Flynn's.

Cross-examined:

Q. How many miles did you live from Wm. L. David's at that time?—

A. I lived in the fourth house.

Q. How far was it; a mile, or more less?—A. between 75 and 150 yards.

Q. Do you know of your own knowledge anything about when John M. Krise came into Gulich Township last fall?—A. He came to my house on the 8th day of September.

Q. Did he not work for Wm. L. David for two days before he came to your house?—A. I think not, sir.

Q. Did he not come from Wm. L. David's to your house?—A. I believe he did, sir.

Q. You do not pretend to swear, do you, when John M. Krise left Side Shofe's, in Beccaria Township?—A. No, sir.

Q. In your direct examination, in answer to the question "Don't you know that it was on the 8th day of September, 1878?" you said, "He came to my house on Sunday evening," &c. Now, how did you mark the time?—A. Well, I was studying about the election, and I generally watch the Democrats in Gulich Township pretty sharp, and I knowed it would be their game to try to get John Krise a vote.

Q. What were your politics in 1878?—A. Republican and National, or Greenback.

Q. Do you know whether John M. Krise's vote was challenged at the election of November 5, 1878?—A. I was setting in Flynn's store, I believe, on the counter. My brother Will came to me and said the board was giving John Krise a vote. I went to the school-house where they held the election. I warned the board; told them the consequence of the law; also warned Wm. David; told him, too, that he knowed as well as I did that John Krise had no right to vote.

Q. After you told the board that John Krise had no right to vote, was his vote received?—A. It was, certainly; they were swearing him about at this time.

Q. Then it was after he was sworn that his vote was received?—A. It is a customary rule to vote after they are sworn, in our township.

(Counsel for contestant objects to all the testimony of this witness tending to show that his vote, that is, the vote of John M. Krise, was illegal, that is, the vote which he cast in Gulich Township, Clearfield County, Pennsylvania, on November 5, 1878; and counsel for contestant will move the committee of Congress who shall hear the case to strike out the testimony of the witness for the following reasons: First, for the reason the election board of Gulich Township were sworn officers of said township, and were sworn to perform the duties of the officers of the election of November 5, 1878, in said township, and that the fact that they received the vote of John M. Krise, after hearing the objections of this witness now sworn, and receiving satisfactory evidence of the residence of said John M. Krise, his vote was received; and the conclusion of said board, after the said John M. Krise was sworn, and other evidence of his residence being heard, is conclusive of the right of said John M. Krise to vote in said Gulich Township, and cannot be impeached; and for the further reason that the said John M. Krise has been made a

witness by contestee, and has sworn that he resided in said district for more than two months immediately preceding said election, and contestee cannot contradict his own witness.)

Re-examined :

Q. If Krise had lived at William L. David's for two or three days, would you not have known it?—A. I think I would, sir.

Q. What is the politics of William L. David?—A. Democrat.
And further saith not.

SAM'EL STILES.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

6.30 p. m, March 24, 1879, adjourned to 7 p. m. same day.

7.15 o'clock p. m., same day, examination resumed.

HARDMAN RICHARDS sworn.

Question. Where do you reside, and what is your age?—Answer. I reside in Woodward Township, Clearfield County, Pennsylvania, near John M. Chase. If I live till the 8th day of May, will be 43 years of age.

Q. Was you born and have you always resided in Pennsylvania?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Have you and your wife resided in the election district of Woodward Township continuously for one whole year preceding the election of November 5, 1878?—A. Yes, sir.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax that was assessed at least sixty days and paid at least thirty days before said election?—A. Yes, sir.

Q. To whom did you pay your State and county tax, and when?—A. To Joseph Higgins, last June.

Q. You mean June, 1878, do you not?

(Objected to because it is leading.)

A. Yes, sir; yes, sir; and my 1877 tax.

Q. Did you vote at the election held in the election district of Woodward Township held on the 5th day of November, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to for the reason that it is an improper question and the witness cannot be compelled to answer it or to disclose how he voted until it shall have been shown that his vote was illegal, it being a matter of privilege.)

A. Seth H. Yocum.

Cross-examined :

Q. Did you receive a receipt for the payment of your taxes to Higgins in 1878?—A. Yes, sir; I did.

Q. Will you produce it?—A. No, sir; I can't. I lost it.

Q. When did you lose it?—A. I missed it just the other day, when I was hunting for it, and I could not find it.

And further saith not.

HARDMAN RICHARDS.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

HIRAM KNUPPENBURY sworn.

Question. Where do you reside and what is your age?—Answer. Woodward Township, Clearfield County, Pennsylvania; am 52 years old.

Q. Were you born and have you always resided in Pennsylvania?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife resided in the Woodward election district continuously for one whole year or more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years that was assessed at least two months and paid at least one month before the election of November 5, 1878, and have you a receipt for the same, and will you produce it?—A. Yes, sir; yes, sir; yes, sir.

(Witness produces receipt dated December 14, 1878, from J. G. Higgins, for the State and county tax of Hiram Knuppenbury for the year 1878; signed by J. G. Higgins, collector.)

Q. Were the taxes called for in the receipt you have produced assessed against you, and were they paid by you?—A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held on November 5, 1878?

(Objected to because the list of voters at said election in said township is the best evidence, and until it shall be shown that the best evidence is lost or destroyed parol proof is incompetent.)

A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to because it is an improper question, and the witness cannot be compelled to answer it or disclose for whom he voted until it shall have been shown that his vote was illegal, it being a matter of privilege.)

A. Yocum.

Q. You mean Seth H. Yocum, do you not?—A. Yes, sir.

Cross-examined:

Q. Will you produce and permit the notary to copy the receipt, the date of which has been taken in your testimony?—A. Yes, sir.

(Witness produces receipt, which reads as follows:)

“HOUTZDALE, Dec. 14, 1877.

“Received of Hiram Knupbarger 19 cts., State and county tax for the year 1877.

“J. G. HIGGINS, Col.”

Q. Did you read the ticket which you voted at the election of November 5, 1878?—A. Yes, sir.

Q. What names were on that ticket?—A. Well, I can't tell you all the names.

Q. Can you give me one name that was on your ticket?—A. Yes, sir.

Q. Give it.—A. Philips Dotts.

Q. Can you give any more?—A. I am not positive about any more.

Q. Where were you born?—A. In Pennsylvania.

Re-examined:

Q. Have you any reason for remembering that you voted for Philip Dotts more than the rest of the county ticket?—A. Yes, sir.

Q. What is it?—A. Because I put his name with a sticker on my ticket.

And further saith not.

HIRAM KNUPPENBURY.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

JOHN LOW affirmed.

Question. Where do you reside, and what is your age?—Answer. My age is going on sixty seven years, near as I can tell. Reside in Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir; married in the year 1832.

Q. Have you and your wife resided continuously in the election district of Woodward Township, Clearfield County, Pennsylvania, for one whole year and more immediately preceding the election of November, 5, 1878?—A. Yes.

Q. Have you paid a State or county tax within two years preceding the election of November 5, 1878, that was assessed at least two months and paid at least one month prior to said election?—A. Yes, sir.

Q. When did you pay said taxes, and in what year?—A. I pay every year. I paid in the summer of 1878.

Q. What time in the summer of 1878?—A. I can't tell exactly; it must have been in August—about that time.

Q. Did you pay your State and county taxes in the year 1877?

(Objected to because it is leading.)

A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held on the 5th of November, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to by counsel for contestant because it is an improper question, and the witness cannot be compelled to answer it or to disclose how he voted until it shall have been shown that his vote was illegal, it being a matter of privilege.)

A. I voted for Yocum.

Q. You mean Seth H. Yocum, do you not?

(Objected to because it is leading.)

A. Yes, sir.

Cross examined:

Q. Did you read your ticket?—A. Yes, sir.

Q. Names were on your ticket?—A. Yocum was on. I did not pay much attention, the rest of the names.

Q. What Yocum?—A. It was the Yocum that was running for Congress—is all I can tell you about it. I never saw him.

Q. What was his name?—A. It spelled Yocum on the ticket.

Q. What were his initials?—A. Well, all I can tell you is just what I have told you about that.

Q. Then you don't remember his full name, do you?—A. No, no more than just Yocum.

Q. To whom did you pay a State or county tax within two years immediately preceding November 5, 1878?—A. Thomas Henderson.

Q. Have you a receipt for the payment of the same?—A. I have, but I have not got it here with me.

Q. What was the date of that receipt?—A. I could not just say.

Q. Was it paid more than one month before the election of November 5, 1878?—A. Yes, sir; more than two of them.

Q. Where were you born?—A. In Centre County, Pennsylvania. And further saith not.

his
JOHN + LOW.
mark.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN W. ALEXANDER affirmed.

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; am thirty-two or thirty-three years old.

Q. Are you married?—A. No, sir.

Q. Have you resided continuously in the election district of Woodward Township, Clearfield County, Pennsylvania, for one whole year or more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Have you paid a State or county tax within two years preceding the election of November 5, 1878, that was assessed at least two months and paid at least one month before said election, and will you produce the receipt for the same?—A. Yes, sir.

(Witness produces receipt, dated May 24th, 1877, for the payment of the tax, State and county, of John W. Alexander, for the year 1877; signed by D. McGaughey, treasurer.)

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?

(Objected to for the reason that it is an improper question, and the witness cannot be compelled to answer it or to disclose how he voted until it shall have been shown that his vote was illegal, as it is a matter of privilege.)

A. I voted for Seth Yocum. I voted for Seth H. Yocum.

Cross-examined:

Q. Where were you born?—A. Clearfield County, Pennsylvania.

Q. When did you move to Woodward Township?—A. I was raised in Woodward Township.

Q. Did you read the ticket you voted on November 5, 1878?—A. Certainly; I read all the ticket that I voted.

Q. Give me some of the names that were on that ticket.—A. Yocum was one of them. I can't remember them. I vote the Republican ticket.

Q. Cannot you give some of them?—A. I think there was a Bird on, for one; I voted for Hoover for commissioner.

Q. Are you certain that you voted for Seth H. Yocum for Congress?—A. Yes, sir; I am certain he was on the ticket I voted.

Q. Have you been out of the State of Pennsylvania within the last year?—A. No, sir.

Q. Were you out of Woodward Township to live at any time during the year?—A. No, sir.

And further saith not.

J. W. ALEXANDER.

Attest:
[SEAL.]

W. N. PROTHERO,
Notary Public.

GEO. W. HIGGINS sworn.

Question. Where do you reside, and what is your age?—A. In Woodward Township, Clearfield County, Pennsylvania; age 22 years.

Q. Where were you born?—A. In Pennsylvania.

Q. Were you ever married?—A. Yes, sir.

Q. Did you, with your wife and family, continuously, for one whole year or more, reside in Woodward Township, Clearfield County, Pennsylvania, preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you within the two years immediately preceding the election of November 5, 1878, pay a State or county tax that was assessed more than two months and paid more than one month prior to said election?

(Objected to by counsel for contestant, for the reason that the receipt is the best evidence of the payment, and until its loss or destruction is shown parol proof is incompetent.)

A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held on the 5th of November, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to by counsel for contestant, for the reason that it is an improper question, and the witness cannot be compelled to answer it or disclose how he voted until his vote shall have been shown to be illegal.)

A. Seth H. Yocum.

Cross-examined:

Q. Did you read your ticket?—A. Yes, sir.

Q. What names were on that ticket?—A. I don't know exactly.

Q. Can you name one?—A. Yes, sir.

Q. Give one.—A. Seth H. Yocum.

Q. Can you name another?—A. No, sir; don't know that I can.

Q. Are you certain you read the name of Seth H. Yocum on your ticket on November 5, 1878?—A. Yes, sir.

Q. Why is it you can only remember the name of Seth H. Yocum and not the names of any other persons that were on your ticket?—A. Because it slipped my memory, and I was interested in him.

Q. How do you know that the State and county taxes that you paid were assessed against you?—A. Because I paid them to the assessor.

Q. Who was the assessor?—A. Joseph G. Higgins.

Re-examined:

Q. You stated that you knew the taxes were assessed against you because you paid them to the assessor, who was Joseph G. Higgins. Now, were you not mistaken, and did you not mean that you paid your taxes to the collector, Joseph G. Higgins?

(Objected to by counsel for contestant for the reason that the question has already been answered, and for the further reason that the question is leading and the contestee cannot contradict his own witness.)

A. Yes, sir; I believe I was mistaken.

Q. You mean, then, that you paid your taxes to Joseph G. Higgins, the collector?

(Objected to because it is leading.)

A. Yes, sir.

Q. Will you produce the receipt that you have for State and county taxes?—A. Yes, sir.

(Witness produces receipt, which reads as follows:)

“HOUTZDALE, *Sept.* 26, 1878.

“Rec'd of G. W. Higgins twenty-six cts., State and county tax for the year 1877.

“J. G. HIGGINS.”

Recross-examined:

Q. Did you pay these taxes yourself, and in money?—A. Yes, sir.

Q. When did you get your receipt for the payment of the same?—A. He wrote out the receipt and I paid him the money, and I received the receipt.

Q. When?—A. 26th of September.

And further saith not.

G. W. HIGGINS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

11.20 p. m., March 24, 1879, adjourned until 8 a. m. March 25, 1879.

8 o'clock a. m., March 25, 1879, examination resumed.

SAMUEL TAVEY sworn.

Question. Where do you reside and what is your age?—Answer. Am 33 years old next June; in Woodward Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Had you and your wife and family, continuously for one year or more immediately preceding the election of November 5, 1878, resided in Woodward Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Did you, within two years immediately preceding the election of November 5, 1878, pay a State or county tax which was assessed more than two months and paid more than one month prior to said election?—A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held on November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Yocum.

Q. You mean Seth H. Yocum, do you not?

(Objected to because it is leading.)

A. Yes, sir.

Q. Where were you born?—A. In Danville, Pennsylvania,

Cross-examined:

Q. When and to whom did you pay a State and county tax last?—A. Joseph Higgins; when, I could not say.

Q. Have you a receipt for the same?—A. Yes, sir.

Q. Where did you live on the 1st day of September, 1878?—A. In Woodward Township.

Q. Where on the 1st day of October?—A. In Woodward Township.

Q. Where on the 15th day of September, 1878?—A. In Woodward Township.

Q. Where did you live on January 1, 1877?—A. In Woodward Township.

Q. Did you read your ticket which you voted at November 5, 1878?—A. Yes, sir.

Q. Can you remember some of the names that were on that ticket?—
A. I can remember Hoyt and Yocum.

Re-examined :

Q. You stated that you paid your State and county tax to Joseph Higgins; you mean Joseph Higgins, the collector, do you not?

(Objected to, because it is not the best evidence of the official capacity of Joseph Higgins.)

A. Joseph Higgins, the constable; well, he is tax collector.

Q. Will you produce the receipt for your State and county taxes and allow the notary to copy it into your testimony?—A. Yes, sir.

(Witness produces receipt, of which the following is a copy :)

“WOODWARD, Sept. 21, 1878.

“Rec'd of Sam. Tavey twenty-six cts., being his State and county tax for 1877.

“J. G. HIGGINS.”

Q. Did you pay these taxes on the day on which your receipt is dated?—A. Yes, sir.

Recross-examined :

Q. Where did you reside on November 1, 1878?—A. In Woodward Township.

Q. Were you out of Woodward Township at any time to reside during the year 1878?—A. No, sir.

And further saith not.

SAMUEL TAVEY.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

FRANKLIN HOCK sworn.

Question. Where do you reside and what is your age?—Answer. Reside in Woodward Township, Clearfield County, Pennsylvania; age 35 years.

Q. Where were you born?—A. In Schuylkill County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Have you, with your wife and family, for one whole year and more immediately preceding the election of November 5, 1878, continuously resided in Woodward Township, Clearfield County, Pennsylvania?—A. Yes, sir.

Q. Did you, within two years immediately preceding the election of November 5, 1878, pay a State or county tax which was assessed more than two months and paid more than one month prior to said election?—A. Yes, sir.

Q. Will you produce the receipt for your State and county taxes and allow the notary to copy it into your testimony?—A. Yes, sir.

(Witness produces a receipt, of which the following is a copy :)

“CLEARFIELD, PA., August 29, 1878.

“Rec'd of Franklin Hock the sum — $\frac{26}{100}$ doli's, being county and State taxes for the year 1878, on his property situated and assessed in Woodward Township.

“\$ — $\frac{26}{100}$.

“THOMAS HENDERSON,
Collector.”

Q. Was Thomas Henderson the collector of State and county taxes for the year 1878?—A. Yes, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. Seth H. Yocum.

Q. Did you pay the taxes called for in the receipt that has been copied into your testimony on the day in which the receipt is dated?—A. Yes, sir.

Cross-examined :

Q. Did you read your ticket which you voted November 5, 1878?—A. Yes, sir.

Q. What names were on that ticket?—A. Could not remember.

Q. Can you remember one name that was on your ticket?—A. Yes, sir.

Q. Please give it.—A. Seth H. Yocum.

Q. Can you remember one other name?—A. Can't remember the initials; I voted the Republican ticket; I voted for Hoyt.

Q. Do you remember any other names that were on your ticket?—A. No, sir; I don't remember any other names.

Q. Can you read?—A. Yes, sir.

Q. Did you read your ticket?—A. Yes, sir.

Q. Can you swear positively that you voted for Seth H. Yocum for Congress?—A. Yes, sir; I can.

And further saith not.

FRANKLIN HOCK.

Attest :

[SEAL.]

W. N. PROTHERO,
Notary Public.

The notary public from overwork requests the appointment of an amanuensis to write down the testimony, and accordingly appoints Z. T. Porter, esqr., as an amanuensis for that purpose, the said Z. T. Porter residing at Houtzdale, in the 20th Congressional district.

Counsel for contestant objects to the appointment of Z. T. Porter as an amanuensis for W. N. Prothero, notary public, for the same reasons as were made to the appointment, and for the reasons set forth in the objection made by counsel for contestant against and to the appointment of O'L. Buck, esq., as an amanuensis or clerk for Wm. Rodebaugh, a notary public, whom testimony was and is being taken on the part of the contestee, S. H. Yocum, wherein his right to a seat in the Forty-sixth Congress of the United States as a Representative for the twentieth Congressional district of Pennsylvania is contested, and his election for said office on November 5, 1878, is being investigated, in which case testimony is also being taken before W. N. Prothero, a notary public, who is fully competent to reduce to writing the testimony in said case.

CLEARFIELD COUNTY, ss :

Personally appeared before me, W. N. Prothero, a notary public in and for said county, Z. T. Porter, esq., who being duly sworn, according to law, doth depose and say that as an amanuensis he will faithfully and correctly write down the testimony of each witness called in the presence and under the direction of W. N. Prothero, the said notary public, by whom he has just been appointed to write down the testimony on the part of the contestee in the contested election case of Curtin against Yocum.

Z. T. PORTER.

Sworn and subscribed before me this 25th day of March, 1879.

W. N. PROTHERO,
Notary Public.

EDWARD LLOYD, Jr., sworn.

Question. Where do you reside ; what is your age ?—Answer. Woodward Township, Clearfield County ; 31 years on June 10, 1878.

(Objection.—Counsel for contestant objects to the taking of the testimony of Edward Lloyd, jr., before W. N. Prothero, notary public, for the reason that in the notice served upon counsel for contestant notice was not given that the testimony of said Edward Lloyd, jr., was not taken before W. N. Prothero alone, but notice was given that the testimony of Edward Lloyd, jr., would be taken before Wm. Rodebaugh and W. N. Prothero, whilst the testimony is being taken before W. N. Prothero alone.

Counsel for contestee says of this objection that like most other objections made by J. T. Snyder, counsel for contestant, that it is untrue, there being a regular acceptance of service of notice as to this witness that his testimony would be taken before W. N. Prothero, notary public, on this day, which acceptance is dated March 14, 1879, and signed D. L. Krebs, esqr., the leading counsel for A. G. Curtin, contestant, in Clearfield County.

J. T. Snyder, of counsel for contestant, denies the truthfulness of the statement just made by T. H. Murray, of counsel for contestee, so far as the same relates to the objections which have been made during the taking of the testimony on the part of the contestee, and refers the committee to the record for the truthfulness of said objections ; and in reference to the notice that testimony would be taken before W. N. Prothero alone, if said notice was accepted ; as stated by counsel for contestee, the said J. T. Snyder has no knowledge whatever of the fact, and the objection which was made to the taking of the testimony of this witness now sworn was made in good faith.)

Q. Where were you born ?—A. In Wales.

Q. Are you naturalized ?

(Objected to, because it is not the best evidence, and for the reason that, until the record or certificate of the naturalization of the witness shall have been shown to have been lost, parol proof of naturalization is incompetent.)

A. Yes, I am naturalized ; I meant to say, yes, sir.

Q. At what age did you come to this country ?—A. Between seven and eight years old.

Q. Did your father come with you ?—A. No, sir.

Q. What was your age when your father came ?—A. About five years old.

Q. Was your father naturalized ?

(Objected, to for the reason that the certificate of his father's naturalization is the best evidence, and, until it shall have been shown to be lost, parol proof is incompetent.)

A. Yes, sir.

Q. What was your age when your father was naturalized ?—A. About twelve years old.

Q. When you say you were naturalized do you not mean that you vote by reason of your father's naturalization ?—A. Yes, sir ; that is what I mean.

Q. Where was your father naturalized ; in what county or State ?—A. In Huntingdon County, Pennsylvania.

Q. Have you seen your father's naturalization papers?—A. Yes, sir; had them in my hand.

Q. When?—A. In 1861.

Q. Did you see them at any other time?—A. Yes, sir; in 1864. I would not be positive as to any other time.

Q. When you saw his naturalization papers were they the papers on which he voted?—A. Yes, sir.

Q. How did you come to see them; what was the occasion?—A. On the election-day for proof for my voting on age.

Q. When you say 1861 and 1864 as the times you saw his papers, do you mean that, or do you mean 1871 or 1874, which?—A. I mean what I said.

Q. What year did you first vote; do you mean that you voted as long ago as 1861 or 1864?

(Objected to, because it was leading, and for the reason that the witness has already answered the question, which answer has not been taken down.)

A. In 1864; yes, I mean it.

Q. If you are only 31 years old, how could you have voted as long ago as 1861 or 1864?

(Objected to as leading, because contestee seeks to contradict his own witness.)

A. I made a mistake—I did not think—about myself.

Q. Please explain in what way you made a mistake and what you meant to say.—A. I meant to say 1874.

Q. When you said 1861, did you or did you not mean also 1871?

(Objected to, because it was leading.)

A. Yes, sir.

Q. Will you now state what year it was that you saw your father's papers?—A. Yes, sir; 1871 and 1874.

Q. Will you state how you came to see them; what the occasion was?—A. On election days.

Q. For what purpose?—A. For election.

Q. When you say you saw them for the purpose of voting, what do you mean? By saying by voting on age, do you, or do you not, mean voting on your father's papers by reason of your having been under age when he was naturalized?—A. Yes, sir; that is what I mean, but I was under age when my father was naturalized.

Q. To whom were these papers shown when you voted in 1871 and 1874?—A. To the man inside the polls.

Q. What did the men do when they saw those papers?—A. Got father to swear that I was of age.

Q. What did they then do?—A. Can't remember.

Q. Did they or not take your vote?—A. Yes, sir.

Q. How long have you lived in Pennsylvania?—A. I never was out of Pennsylvania since I came to the country.

Q. Had you within two years preceding the election of November 5, 1878, paid a State or county tax, which was assessed at least two months and paid at least one month preceding said election?—A. I paid tax in 1877.

Q. To whom did you pay it?—A. To Jos. G. Higgins, constable.

Q. Was Jos. G. Higgins, constable of Woodward Township, collector of State and county taxes?—A. Yes, sir.

Q. Was that the kind of tax you paid him in 1877?—A. Yes, sir.

Q. Where were you when you paid him that tax?—A. By the mines by the store.

Q. What time of year in 1877, as near as you can tell?—A. About March, I think.

Q. Did he give you a receipt at that time?—A. No, sir.

Q. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. What ticket did you vote at that election?—A. Republican ticket.

Q. Did you vote for Seth H. Yocum or for Andrew G. Curtin at the said election for Congress—which one of the two?—A. For Yocum.

Q. Who gave you your ticket?—A. Richard Owens.

Q. Was Richard Owens a Republican or a Democrat?—A. A Republican.

Cross-examined:

Q. Can you read?—A. No, sir.

Q. How do you know you voted for Seth H. Yocum for Congress?—A. Because that man gave me the ticket and knowed it was.

Q. Then when you swear you voted for Seth H. Yocum for Congress do you rely upon what others told you?—A. I did not say that others told me, because that one person told me.

Q. How do you know that Seth H. Yocum was on the ticket which you voted at the election of November 5, 1878?—A. I take that man's word.

Q. Then I understand you to say, do I, that the only reason you have for swearing that you have voted for him for Congress is that you were told that his name was on the ticket which was given you?—A. Yes, sir; I can rely on it.

Q. Now, if the man who gave you your ticket gave you a ticket with the name of Curtin upon it, did you not vote that ticket?—A. No, sir; did not vote it.

Q. Now, can you swear of your own knowledge that you voted for Seth H. Yocum for Congress?—A. Yes, sir.

Q. Now, since you cannot read, how can you swear you voted for Seth H. Yocum for Congress?—A. Because I know that man would not wrong me or give me the wrong ticket.

Q. Now, if that man gave you a wrong ticket, did you not vote for the man that was on that ticket?

(Objected to as unfair to the witness, because it is improper in form, argumentative in substance, and asked for the purpose of misleading and entrapping the witness.)

A. He did not give me a wrong ticket.

Q. If the man who gave you your ticket gave you a ticket which did not have the name of Seth H. Yocum, did you not vote that ticket?—A. He did not give me a ticket that had not that name on it.

Q. If a ticket was given which did not have the name of Yocum upon it, did you vote that ticket?—A. No, sir.

Q. Where did you live on the first day of August, 1878?—A. Houtzville—can't name the township—Clearfield County, Pennsylvania.

Q. Where did you live on the first day of September, 1878?—A. Same place.

Q. Where did you live on the first day of October, 1878?—A. Same place.

Q. Now, were you not out of Woodward Township, and did you not reside in another township at some time between the 5th day of September and the 5th day of November, 1878?—A. No, sir.

Q. Was the tax which you say you paid Jos. Higgins in 1877 the only

State and county tax which you have paid within two years preceding said election?—A. Yes, sir.

Q. Have you a receipt, and will you produce it?—A. I have a receipt. (Witness produces receipt, of which the following is a copy:)

“WOODWARD T’P, *March 25, 1879.*

“Received of Edward Lloyd, jr., twenty-six cts. State and county tax
fore 100 dollars the year 1877.

“\$

“J. G. HIGGINS.”

Re-examined:

Q. When did Jos. G. Higgins give you that tax receipt?—A. To-day.

Q. Did you pay him any State or county tax to-day, or on the day that receipt is dated?—A. No, sir.

Q. How did Jos. G. Higgins come to give you that receipt to-day?

(Objected to, because it is not the best evidence, and Jos. Higgins is a competent witness.)

A. Because I spoke to him about my tax-receipt, and he never gave me one before; I have my receipt in my pocket for 1879.

Q. When, in 1879, did you pay tax, and to whom?—A. February 12, 1879, 26 cents State and county tax for 1878, to Thos. Henderson. (Witness produces receipt accordingly.)

Q. Did or did not J. G. Higgins, constable, give you that receipt to-day for the State and county tax which you paid him in 1877?—A. Yes, sir. He gave it to me to show that I have paid it.

Q. Did he dispute your word when you told him you had paid it in 1877, and what did he say?—A. No, sir; he did not dispute my word; he said he had not marked it out on his book. He told me there was so many Lloyds up there, probably he forgot to mark out your tax when paid.

Q. How long had you known Richard Owens when he gave that ticket you voted?—A. About fifteen or sixteen years.

Q. Which man was he working for on election day—Curtin or Yocum?—A. For Yocum.

Q. Have you full and entire confidence in him that he would not give you a wrong ticket?—A. Yes, sir.

Cross-examined:

Q. Who advised you to go to Higgins and get this receipt?—A. Myself, because I saw him.

And further saith not.

his
EDWARD + LLOYD, JR.
mark.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.
Z. T. PORTER.

And now, 12.40 p. m., March 25, 1879, adjourned until 1.20 p. m. same day.

And now, 1.30 p. m. same day, examination resumed.

M. P. BARRON produced and sworn.

(Counsel for contestant objects.)

(Witness withdrawn.)

JAMES ROBERTS produced and sworn.

Question. Where do you reside, and what is your age?—A. I reside in Woodward Township, Clearfield County, Pennsylvania; age 30 years.

Q. Where were you born?—A. I was born in England.

Q. Are you naturalized; and, if so, will you produce your certificate of citizenship?—A. Yes, sir.

(Witness produces certificate, dated October 6, 1876, signed by A. M. Bloom, deputy prothonotary, and having attached thereto the seal of the court of common pleas of Clearfield County, Pennsylvania.)

Q. Are you married?—A. Yes, sir.

Q. Have you and your wife, for one whole year or more, resided continuously in Woodward Township, Clearfield County, Pennsylvania, immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Had you, within two years preceding the election of November 5, 1878, paid a State or county tax, which had been assessed at least two months and was paid at least one month preceding that election?—A. Yes, sir.

Q. When did you pay that tax, as near as you can tell, and to whom?—A. I paid it about three or four days before September court of 1878.

Q. To whom?—A. To the best of my knowledge, to Howe.

Q. For what collector or constable was Howe collecting?—A. He put Jos. Higgins's name on the tax receipt.

Q. Had Jos. G. Higgins asked you for this same tax before?—A. Yes, sir.

Q. When Higgins asked you, had he his duplicate or not?—A. I could not tell.

Q. When Howe the man, collecting for Higgins, received his tax from you, had he a duplicate or book with names of persons and amount of tax opposite?—A. Yes, sir; he had a book of that kind.

Q. Was it or not the same tax and same amount that Higgins asked you for?—A. Yes, sir.

Q. Was Jos. G. Higgins, the man for whom Howe was collecting, the collector of State and county taxes for Woodward Township?—A. Yes, sir.

Q. Where is your receipt for the payment of that tax?—A. I lost it.

Q. When did you lose it?—A. I lost it between the time I got it and the election.

Q. Did you vote in the election district of Woodward Township, of Clearfield County, Pennsylvania, at the general election of November 5, 1878?—A. Yes, sir.

Q. Did you vote at that election for Seth H. Yocum or Andrew G. Curtin, which one of the two, for Congress?—A. Yocum.

Cross-examined:

Q. When you presented your ticket did the board of election require you to produce your naturalization papers?—A. They did not.

Q. Did they require you to show your tax-receipt?—A. They did.

Q. Did they require any other proof of your right to vote?—A. Yes, sir, they did; they made me swear.

Q. What questions were you asked concerning your right to vote?—A. They did not ask me any question, to the best of my knowledge.

Q. When did you lose your tax-receipt?—A. Between the time I got it and the election.

Q. How much tax did you pay?—A. I could not tell.

Q. When and where did you get the receipt?—A. I got it in my own house, as near as I can tell, about the middle of September.

Q. From whom did you get your ticket?—A. From Jos. Higgins, boss of the shop, not the collector.

Q. Did you read your ticket?—A. A part of it.

Q. For whom did you vote for governor?—A. Could not tell.

Q. For whom did you vote for judge of supreme court?—A. I have his name in my memory, but cannot speak it.

Q. Was it Ross, Agnew, or Sterritt?—A. To the best of my knowledge it was Sterritt.

Q. Can you recall the names of any other candidates on your ticket?—A. Yes, sir; Yocum, Andrew G. Curtin.

Q. How many parts was there to your ticket or ballot?—A. Three.

Q. Where were you when you received the ticket?—A. At the polls.

Re-examined:

Q. The counsel on the other side asked you this question, "Can you recall the names of any other candidates on your ticket?" Your answer was, "Yes, sir; Yocum, Andrew G. Curtin." Did you mean to answer in that way and to say that Curtin's name was on your ticket, or what did you mean?

(Objected to as an improper method of examining the witness; the witness has a right to explain if he believes he was mistaken; but that the question is too leading and suggestive of the answer desired.)

A. I did not mean to say that Andrew G. Curtin was on it, when he and Yocum were running on opposite parties.

Q. Did you or not mean simply that you recalled Curtin's name as one of the candidates at that election?—A. Yes, sir.

Q. Was it Henry M. Hoyt or Andrew H. Dill you voted for at that election for governor?—A. To the best of my knowledge it was Dill; I am not positive.

Q. Did you vote for the Republican candidate or the Democratic candidate for governor?—A. Republican.

Q. If Dill was the Democratic candidate and Hoyt the Republican candidate for governor, for which did you vote?

(Objected to as leading and improper.)

A. Certainly I voted for Hoyt; but I did not know which.

Q. Was this man, Jos. Higgins, the boss of the shop, a friend of Curtin or Yocum?—A. He was in favor of Yocum.

Q. When Jos. G. Higgins, the collector, came to you for your tax, how long was it before you paid the tax to Howe?—A. I think within two or three days.

Q. Did Jos. G. Higgins fix any time within which you should pay the tax, and what reason did he give for that?—A. He said he would like for me to pay the tax before September court, that he was going there.

Q. Did you pay the tax within that time?—A. I am not certain that it was before the court.

Q. Was it during the month of September, 1878, that you paid it?—A. Yes, sir; to the best of my knowledge.

Recross-examined:

Q. Is there not court in November, and was there not court in November, 1878?

(Objected to as immaterial.)

A. I do not know, sir.

Q. How do you know that there was court in September?—A. Because Jos. Higgins told me so.

And further saith not.

JAMES ROBERTS.

[SEAL.]

Attest: W. N. PROTHERO, *Notary Public*.

RICHARD LEWIS sworn.

Question. Where do you reside, and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; age, going on 45 years.

Q. Where were you born?—A. In Wales.

Q. When did you come to this country?—A. Nineteen years last November 14.

Q. Were you ever naturalized?

(Objected to, because the record or certificate of the naturalization of the witness is the best evidence, and parol proof is incompetent until it shall have been shown that the best evidence has been lost or destroyed.)

A. Yes; I got my two papers.

Q. What has become of your second paper, namely, your certificate of citizenship?—A. It was destroyed by the fire the day of the Osceola fire in May, 1875. I think.

Q. Where was you naturalized?—A. In Clearfield, I got my first paper; I got the second in Schuylkill County, Pennsylvania.

Q. When did you get your certificate of citizenship in Schuylkill County, Pennsylvania?

(Objected to, because a copy of the record of said naturalization, under the certificate and seal of the court, would be the best evidence; therefore parol proof is incompetent until it shall have been shown that said record was either lost or destroyed.)

A. So far as I recollect it was six years last September.

Q. Are you married?—A. Yes.

Q. Did you and your wife reside in the election district of Woodward Township, Clearfield County, Pennsylvania, continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding November 5, 1878, paid a State and county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir. (Witness produces receipt, dated September 26, 1877, for State and county tax for the year 1876, which receipt is signed by J. G. Higgins, collector.)

Q. Did you on September 26, 1877, pay said taxes?—A. My wife paid them; I told my wife to pay them for me.

Q. Did you or not leave the money with her to pay the same, because you were away from the house at work?

(Objected to, because it is leading.)

A. Yes, sir.

Q. Did or did not your wife give you said receipt in the evening when you returned home from work?—A. Can't say as to that; I don't remember.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Yocum, as far as I can recollect.

Q. What are your politics and what have they been?

(Objected to, because it is immaterial and irrelevant.)

A. Republican.

Q. Did you read your ticket and see Yocum's name upon it for Congress; that is, the ticket you voted?—A. Yes, sir.

Cross-examined:

Q. Can you name any other persons for whom you voted at said election?—A. Don't remember.

Q. Are you certain you read your ticket?—A. Yes, sir.

Q. Can you not give one name that you read upon that ticket?—A. I don't remember certain.

Q. You cannot swear positively, can you, that you voted for Yocum?—

A. Yes, I can.

Q. Why is it that you can remember the name of Yocum but cannot remember the names of any other candidates for whom you voted and which were upon your ticket?—A. Because he was a higher official.

Q. Was Curtin the highest official that was on the ticket?

(Question withdrawn.)

Q. Was Yocum running for the highest official position that was to be filled at said election?—A. I don't remember.

Q. Do you remember for whom you voted for governor?—A. No, sir.

Q. Do you remember any of the names which were upon your ticket save the one you have mentioned?—A. That has been asked me before.

Q. How long did you reside in Woodward Township?—A. Five years next August.

Q. Was your vote challenged at the election of November 5, 1878?—A. No.

Q. Were you required to prove that you were a naturalized citizen of the United States?—A. Yes, sir; I had to make an oath to that effect.

Re-examined:

Q. Were you living at Osceola at the time of the fire?—A. No, I lived on the same lot I live now in Woodward Township.

Q. Do you or not swear that you voted for Seth H. Yocum for Congress?

(Objected to, because it is leading.)

Ans. Yes, I do.

Q. Were you or were you not, six years ago last September, in open court in Schuylkill County, naturalized?

(Objected to, for the reason that the certificate in the record of the naturalization of the witness, or certified copy of said record or certificate of naturalization, is the best evidence, and until it shall have been shown that said certificate of naturalization of the witness, and also the record thereof of the court granting said naturalization or certificate of naturalization have been lost or destroyed, parol proof is incompetent to prove what it is sought to prove by the testimony of this witness.)

A. Yes, sir; so far as I recollect that was the time.

And further saith not.

RICHARD L. LEWIS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.
Z. T. PORTER.

March 25, 1879, 5.40 p. m., adjourned until 7 p. m. same day.

7.15 p. m. same, day, examination resumed.

MATT. MCATEER sworn.

Q. Where do you reside?—A. Houtzdale Borough, Clearfield County, Pennsylvania.

Q. Were you or were you not a supporter of Andrew G. Curtin for Congress, at the election of November 5, 1878.

(Objected to because it is immaterial and irrelevant.)

A. I decline to answer.

Q. Did you on the day of the general election of November 5, 1878, hand out tickets to any voters; and, if so, was the name of Andrew G. Curtin or Seth H. Yocum, one of the two, for Congress on such tickets handed out by you to voters?—A. I gave out nothing but straight-out Democratic tickets; of course Andrew G. Curtin was on them for Congress.

Cross-examined:

Q. Was the reason you refused to answer the second question asked you in your direct examination because the counsel for contestee agreed to ask you but one question, which question was the last one asked you and answered by you in your direct examination?—A. It was; he promised to ask me but the one question that was material.

And further saith not.

MATT. MCATEER.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.
Z. T. PORTER.

Now, 9.20 p. m., March 25, 1879, adjourned until 8 o'clock a. m., March 26, 1879.

And now, 11.15 a. m., March 26, 1878, examination resumed.

WM. O'HARRON, produced and sworn.

Question. Did you vote in the election district of Woodward Township, Clearfield County, Pennsylvania, at the election held November 5, 1878, and if so for whom did you vote for Congress?—Answer. Yes, sir; I voted; I did not vote for anybody for Congress.

And further saith not.

WM. O'HARROW.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.
Z. T. PORTER.

11.50 a. m., March 26, 1879, adjourned until 1 p. m. same day.

2 p. m., same day, examination resumed.

GEORGE A. BALDWIN sworn.

Question. Where do you reside and what is your age?—Answer. I reside in Woodward Township, Clearfield County, Pennsylvania; 52 years this coming April.

Q. Was you born in Pennsylvania?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir. (Witness produces receipt, dated June 25, 1878, for his State and County tax for the year 1877, which receipt is signed by J. G. Higgins, collector.)

Q. Did you on June 25, 1878, the date of your receipt, pay J. G. Higgins, the collector of State and county taxes, the said tax?—A. Yes, sir

Q. Did you vote in the election district of said Woodward Township, at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Mr. Yocum.

Q. Do you mean Seth H. Yocum?—A. Yes, sir.

Q. Did you read your ticket which you voted?—A. Yes, sir.

Cross-examined:

And further saith not.

G. A. BALDWIN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.
Z. T. PORTER.

SAMUEL MORGAN SWORN.

Question. Where do you reside and what is your age?—Answer. In Woodward Township, Clearfield County, Pennsylvania; 65 years of age.

Q. Where was you born?—A. In Wales.

Q. Have you been naturalized, and if so, will you produce your certificate of citizenship?—A. Yes, sir. (Witness produces certificate of naturalization, dated August 11, 1859, signed D. Caldwell, prothonotary, and there is attached thereto the seal of the court of common pleas, of Huntingdon County, Pennsylvania.)

Q. Were you on August 11, 1859, naturalized in open court?

(Objected to, because his certificate of naturalization is the best evidence, and the fact that is sought to be proven by the evidence of the witness cannot be proven by parol evidence until the loss of the best evidence is shown.)

A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. Did you, with your wife, reside in the election district of said Woodward Township continuously for the one whole year and more immediately preceding November 5, 1878?—A. Yes, sir; over four years.

Q. Had you within two years immediately preceding November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. To whom did you pay said tax, and when?—A. To Thomas Henderson; could not swear exactly, but about six months before the election.

Q. Do you mean the election of November 5, 1878?—A. Yes, sir.

Q. Did you vote in the election district of said Woodward Township at the general election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. Yocum.

Q. Do you mean Seth H. Yocum?—A. Yes, sir.

Q. Did you read your ticket?—A. No, sir; I can't read.

Q. Who gave you the ticket which you voted November 5, 1878?

(Objected to, because it is immaterial and irrelevant.)

A. John Freeman.

Q. Are you positive that you paid Thomas Henderson said State and county taxes several months before November 5, 1878?—A. Yes, sir.

Cross-examined:

Q. Where is the receipt you received from Henderson for said taxes?—A. I could not tell you. I had it on election-day; it and this paper. I gave it to my son.

Q. When you say you voted for Yocum, do you depend upon others for your knowledge of whom you voted for?—A. Yes, sir.

Re-examined:

Q. What are your politics?

(Objected to, because it is immaterial and irrelevant.)

A. Republican.

Q. Did you vote your ticket just as John Freeman gave it to you?—

A. Yes, sir.

And further saith not.

his
SAMUEL + MORGAN.
mark.

Attest:

[SEAL.]

W. N. PROTHERO, *Notary Public*.

Z. T. PORTER, as to his mark.

CLEARFIELD COUNTY, ss :

Personally appeared before me, W. N. Prothero, a notary public in and for said county, Z. T. Porter, who, being duly sworn according to law, says he has truly and faithfully performed his duties as an amanuensis, under his appointment as such, and has written down the testimony of each witness called during his appointment, in the presence and under the direction of said W. N. Prothero, truly and faithfully as delivered by the witnesses.

Z. T. PORTER.

Sworn and subscribed before me this 26th day of March, A. D. 1879.
[SEAL.]

W. N. PROTHERO,
Notary Public.

Three o'clock p. m., March 26, 1879, adjourned until 1 p. m., March 27, 1879, to meet at court-house at Clearfield, Pa.

Depositions of witnesses taken before W. N. Prothero, a notary public of the State of Pennsylvania, a resident of the town of Du Bois, Clearfield County, Pennsylvania, and resident of the twentieth Congressional district of the State of Pennsylvania, at the court-house in borough of Clearfield, Clearfield County, Pennsylvania, on the part of Hon. S. H. Yocum, contestee, on the 27th day of March, A. D. 1879, commencing at 1 o'clock p. m.

J. ASHLEY DENNIS sworn.

(Counsel for contestant object to the taking of the testimony of the witness J. Ashley Dennis, for the reason that no notice has been given contestant or his counsel, as is required by the act of Congress ruling and governing the taking of testimony in contested rights for seats in the Congress of the United States.)

Question. By what name are you generally known in Decatur Township?—Answer. Ashley Dennis. My full name is John Ashley Dennis. I write my name J. A. Dennis.

Q. Where do you reside and what is your age?—A. Decatur Township, Clearfield County, Pennsylvania; I will be 26 years old 15th May, 1879.

Q. Did you reside in Decatur Township, Clearfield County, Pennsylvania, for the one whole year or more continuously immediately preceding the election of November 5, 1878?—A. Yes, sir; I did.

Q. Where were you born?—A. Decatur Township, Clearfield County, Pennsylvania.

Q. Had you, within two years preceding the general election of November 5, 1878, paid a State or county tax that had been assessed at least two months and was paid at least one month before said election?

—A. Yes, sir; I did.

Q. When, as near as you can tell, and to whom did you pay that State and county tax?—A. In the summer some time, to Levi Goss, the collector of Decatur Township, for State and county tax; the summer of 1878.

Q. Did you vote in the election district of Decatur Township, Clearfield County, Pennsylvania, at the general election of November 5, 1878; and, if so, for whom did you vote for Congress at that election?—A. Yes, sir; I voted at that election, and for Seth H. Yocum for Congress.

Cross-examined by A. W. WALTERS, Esq., of counsel for contestant:

(Counsel for contestant, reserving all legal rights and privileges, proceeds to cross-examination.)

Q. In what month was it you paid your State and county taxes to Levi Goss, and for what year were those taxes?—A. I don't know what month; for the year 1878.

Q. Did you take a receipt from Levi Goss for the payment of said taxes?—A. Yes, sir; I did.

Q. Have you that receipt?—A. No, sir.

Q. Where is it or what has become of it, if you know?—A. It is at home; I had not time to get anything this morning. I was in town when he subpœnaed me, and had a half an hour to make the train to get out here.

Q. Where did you pay these taxes to Levi Goss?—A. If I remember right I paid them at home.

Q. Are you married?—A. No.

Q. Where was your house at the time you paid these taxes to Levi Goss?—A. In Decatur Township, Clearfield County, Pennsylvania.

Q. With whom were you living?—A. With my father.

Q. What were you doing at the time these taxes were paid?—A. I was hostlering at the engine house at Philipsburg.

Q. How long had you been employed there before the time you paid these taxes?—A. About two years.

Q. Where did you board during that time and have your washing done?—A. At my father's, in Decatur Township, Clearfield County, Pennsylvania.

Q. Did you pay these taxes yourself and in money?—A. I did.

Q. In what month did you pay these taxes?—A. I can't remember when it was I paid them.

Q. Was it in September, October, or November, 1878?—A. I don't remember whether it was any of them months, or which of them.

Q. Was it as early in the summer as the 10th of October, or was it before that time?

(Objected to as unfair to the witness, in that he has already sworn that he paid that tax in the summer of 1878, and this question, like the last question, is an effort to entrap the witness into saying that it might have been after the 5th of October, 1878, or within one month of the election.)

A. It was before.

Q. Can you swear positively that you paid these taxes yourself and in money to Levi Goss before the 5th day of October, 1878?—A. Yes, sir; I can.

Q. Did the board of election of Decatur Township, Clearfield County, Pennsylvania, ask or require from you any proof of your right to vote on the 5th of November, 1878?

(Objected to as not cross-examination, and the answer as well as the question, contestee will ask to have stricken from the record.)

A. No, sir.

Re-examined :

Q. When you speak of the tax being for the year 1878, do you mean to swear that it was that years tax or that it was paid in 1878?

(Objected to because the witness has already sworn that it was the tax of 1878.)

A. No, sir; I misunderstood the question. I meant it was paid in 1878.

Q. Were you well known to the election board on November 5, 1878?
—A. Some of them.

Q. If the election board consisted of the judge and inspectors, were you not well acquainted with all of them?—A. No, sir; I was not.

Q. Which officers of the board were you well acquainted?—A. I don't remember which of them; didn't pay that much attention to it.

Q. Did you know Simon Kephart, or he know you?—A. No, sir.
And further saith not.

J. A. DENNIS.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JAMES F. WELLS sworn:

(Counsel for contestant objects to the taking of the testimony of this witness, for the same reasons stated in the objections to the testimony of John Ashly Dennis.)

Question. Where do you reside, and what is your age?—Answer. In Decatur Township, Clearfield County, Pennsylvania; age, 26 years past.

Q. Did you reside in Decatur Township, Clearfield County, Pennsylvania, for the one whole year or more continuously immediately preceding the general election of November 5, 1878?—A. Yes, sir; for three years.

Q. Are you married; and, if so, did your family reside with you, as stated?—A. Yes, sir; yes, sir.

Q. Where were you born?—A. In Centre County, Pennsylvania.

Q. Had you, within two years preceding the election of November 5, 1878, paid a State or county tax which had been assessed at least two months and paid at least one month before said election; and, if so, will you produce receipt for the payment of said tax?—A. Yes, sir, I had.

(Witness produces receipt from Levi Goss, collector, dated August 27, 1878, for State and county taxes for 1877, to James Wells.)

Q. Did you pay that tax on the day that receipt is dated, or before, or after?—A. Before.

Q. How long before?—A. Not more than a week at the least; may be four or five days.

Q. Did you vote in the election district of Decatur Township at the general election of November 5, 1878; and, if so, for whom did you vote at said election for Congress?—A. Yes, I voted; and voted for Yocum.

Cross-examined:

Q. Did you pay those taxes yourself, and in money?—A. No, sir; I gave Mr. Goss an order to Hoover to pay them.

Q. When did you get that receipt from Levi Goss?—A. August 27; he left the receipt at Hoover's and I got it there; that is as near as I can tell.

Q. How do you know you voted for Yocum?—A. It was on the ticket, if I was not mistaken.

Q. Did you read the ticket for Congress that you voted on November 5, 1878, with such care and attention as will enable you to swear positively that the name of Yocum was on that ticket?—A. I read the ticket, but I could not swear positively that Yocum's name was on it.

Q. When you voted at the election polls in Decatur Township, Clearfield County, Pennsylvania, did the board of said election ask or require from you any proof of your right to vote.

(Objected to as not cross-examination, and it will be asked at the proper time that the question and answer be stricken out.)

A. No, sir.

Re-examined:

Q. Did you produce your tax receipt?—A. Yes, sir; at the election.

Q. How long had you lived in Decatur Township before that election?—A. Something over three years.

Q. How near to Decatur Township were you born?—A. About ten or eleven miles.

Q. Were you well known in Decatur Township?—A. Yes, sir.

Q. Who gave you your ticket?—A. William Moffat, if I ain't mistaken.

Q. Was William Moffat working for Curtin or for Yocum, if he was working for or advocating either?

(Objected to, because it is irrelevant.)

A. Yes, sir; he was working for Yocum; he gave me the ticket, if I ain't mistaken.

Q. Did you vote for Dill or Hoyt or Mason for governor?

(Objected to, because it is immaterial, irrelevant, and improper.)

A. For Hoyt.

Q. Did you vote a straight Republican ticket, or did you scratch your ticket?—A. I voted the straight Republican ticket.

Recross-examined:

Q. Can you swear positively that you got your ticket that you voted on November 5, 1878, from William Moffat?—Not positively; I can't.

Q. In your cross examination you said you could not swear positively that you voted for Yocum; now, how can you swear, or do you swear positively, that you voted the straight Republican ticket at the election of November 5, 1878?—A. I scratched no names out on the ticket.

And further saith not.

J. F. WELLS.

Attest:

[SEAL.]

W. N. PROTHERO,

Notary Public.

March 27, 1879, at 4 o'clock p. m. adjourned until March 28, 1879, at Pennfield Hotel, in the village of Pennfield, Huston Township, Clearfield County, Pennsylvania, at 8.55 o'clock a. m.

Depositions of witnesses taken before W. N. Prothero, a notary public of the State of Pennsylvania, a resident of the town of Du Bois, Clearfield County, Pennsylvania, and a resident of the twentieth Congressional district of the State of Pennsylvania, at the Pennfield Hotel, in the village of Pennfield, Huston Township, Clearfield County, Pennsylvania, on the part of Hon. Seth H. Yocum, conteste, on the 28th day of March, A. D. 1879, commencing at 8.55 o'clock a. m.

JOHN H. BROWN, sworn :

(Counsel for contestant objects to the taking of the testimony of this witness, John H. Brown, for the reason that no notice has been given contestant or his counsel, as is required by the act of Congress ruling and governing the taking of testimony in contested rights for seats in the Congress of the United States.)

Question. Where do you reside, and what is your age?—Answer. Huston Township, Clearfield County, Pennsylvania; am 24 years old next July.

A. What is your full name?—A. John H. Brown.

(Counsel for contestant objects to the testimony of this witness being taken or read before the committee of Congress on contested elections, for the reason that contestant nor his counsel have had any notice that the testimony of John H. Brown would be taken.)

Q. You are usually known by the name of John Brown, are you not?—A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Had you resided in Huston Township, Clearfield County, Pennsylvania, for the one whole year or more immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Had you within the two years immediately preceding the election of November 5, 1878, paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir; I paid taxes of 1877.

Q. Did you pay your State and county taxes for the year 1877 in the year 1877?—A. Yes, sir.

Q. Did you vote in the election district of Huston Township, Clearfield County, Pennsylvania, at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to by counsel for contestant for the reason that the witness cannot be compelled to divulge for whom he voted until it has been proven that his vote was an illegal one.)

A. For Seth H. Yocum.

Q. Where were you born?—A. Luzerne County, Pennsylvania.

Cross examined:

Q. When and to whom did you pay the State and county tax of 1877?—A. I paid it to Jake Huffman a short time before the time expired to give me a vote at the coming fall election of the year 1877.

Q. Did you pay that tax yourself and in money?—A. Yes, sir.

Q. Can't you fix the date at which that tax was paid?—A. No, sir.

Q. Was it paid before or after the 6th of October, 1877?—A. It was paid before.

Q. How long before?—A. I cannot say.

Q. Have you paid any other State and county tax since that time?—A. No, sir.

Q. Did you take a receipt for the payment of that tax?—A. Yes, sir.

Q. Where is that receipt now?—A. Lost.

Q. What was Jake Huffman doing when you paid him that tax?—A. Could not tell you what he was working at.

Q. Where was he when you paid it to him?—A. He was in his store.

Q. How do you know it was before the 10th of October when you paid him that tax, when you say you can't remember what date it was?—A. For this reason, that he told me that day or the day before if I did not pay my tax at such a time I would lose my vote.

Q. What do you mean by "such a time"?—A. That the time would be up in order to insure me a vote.

Q. Did Huffman tell you that you had so many days in which to pay your tax to entitle you to a vote, and if so, how many days?—A. He told me something to that effect, or at least I understood it that way. I cannot say how many days.

Q. Did you read the ticket you voted on November 5, 1878?—A. Yes, sir.

And further saith not.

JOHN H. BROWN.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

R. H. LABORD affirmed:

(Counsel for contestant makes the same objection to the taking of the testimony as stated in the objection to the taking of the testimony of John H. Brown, the preceding witness.)

Question. Where do you reside and what is your age?—Answer. My age is 32 years; I reside in Union Township, Clearfield County, Pennsylvania.

Q. Where were you born?—A. In Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you and your wife reside for the one whole year or more immediately preceding the election of November 5, 1878, in the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within the two years preceding the election of November 5, 1878, which was assessed at least two months and paid at least one month before said election?—A. Yes, sir.

Q. Did you vote in the election district of Union Township, Clearfield County, Pennsylvania, at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?

(Objected to because it is a privileged question and the witness cannot be compelled to divulge for whom he voted until his vote shall first have been proved an illegal one.)

A. For Andrew G. Curtin.

Cross-examined:

Q. Did you with your family reside for two months and more in the election district of Union Township, Clearfield County, Pennsylvania, immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Where were you born?—A. Union Township, Clearfield County, Pennsylvania.

Re-examined:

Q. When did you last pay a State or county tax?—A. May 12, 1878.

Q. How do you know that you voted for Andrew G. Curtin for Congress?—A. Because I got my ticket and voted it.

Q. How do you know that the name of Andrew G. Curtin was on that ticket?—A. Of course I could see it when I got the ticket.

Q. Did you read your ticket?—A. I read the one, that's part of them. They was a sticker, the commissioner, and as I voted that dropped off the name; dropped off the name of Mr. Johnston.

Q. Did you read the name of Andrew G. Curtin on your ticket?—A. That's more than I can tell now.

Q. Then you do not know for whom you voted for Congress?—A. Yes, I know I voted for Andrew G. Curtin.

Q. How do you know that you voted for Andrew G. Curtin?
(Objected to because the witness in a previous answer to same question says, "Because I got my ticket and voted it.")

A. Because I cut out my own ticket, and voted it.
And further saith not.

R. H. LABORD.

Attest :
[SEAL.]

W. N. PROTHERO,
Notary Public.

SIMON B. WELTY affirmed.

(Objected to for the same reasons as stated in the objections made to the taking of the testimony of J. H. Brown, a witness previously sworn.)

Question. Where do you reside, and what is your age?—Answer. In Union Township, Clearfield County, Pennsylvania; will be 32 years or 33 years next birth-day.

Q. Where were you born?—A. In Brady Township, Clearfield County, Pennsylvania.

Q. Are you married?—A. Yes, sir.

Q. Did you with your wife and family continuously reside in the State of Pennsylvania for the one whole year or more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Q. Did you within the two years immediately preceding the election of November 5, 1878, pay a State or county tax which was assessed at least two months and paid at least one month before said election?—A. Yes, sir; I think I did; I am sure I did.

Q. Did you vote in the election district of Union Township, Clearfield County, Pennsylvania, at the election held on November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. For Mr. Curtin, to the best of my knowledge.

Cross-examined :

(Counsel for contestant, reserving all legal rights and privileges, proceeds to cross-examine.)

Q. If the candidates for Congress at the general election of November 5, 1878, were Andrew G. Curtin and Seth H. Yocum, for which of those two did you vote at said election?—A. For Curtin, to the best of my knowledge.

And further saith not.

S. B. WELTY.

Attest :
[SEAL.]

W. N. PROTHERO,
Notary Public.

JOHN BANNER sworn.

(Counsel for contestant objects to the taking of the testimony of this witness for the same reasons as stated in an objection to the testimony of J. H. Brown, a former witness called and sworn in this case.)

Q. Where do you reside?—A. Huston Township, Clearfield County, Pennsylvania.

Q. Where were you born?—A. In Clearfield County, Pennsylvania.

Q. Are you married?—A. No, sir.

Q. Did you reside continuously for the one whole year or more immediately preceding the election of November 5, 1878, in the State of Pennsylvania?—A. Yes, sir.

Q. Did you within two years preceding the election of November 5, 1878, pay a State or county tax which was assessed at least two months and paid at least one month before said election?—A. I have not paid any tax yet; I voted on age.

Q. Did you vote in the election district of Huston Township, Clearfield County, Pennsylvania, at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at said election?—A. I voted the Democratic ticket; I didn't look at it; they gave me a ticket and I put it in.

Q. Did you read your ticket?—A. No, sir.

Q. Did you vote for the Democratic candidate for Congress?

(Objected to for the reason the witness has already sworn that he did vote the Democratic ticket at said election.)

A. Yes, sir.

Cross-examined:

Q. Who gave you your ticket that you voted at the election of November 5, 1878?—A. Pete Evans.

Q. What is the politics of Pete Evans; is he a Democrat or a Republican, if you know?—A. A Democrat.

Q. Did you reside in Huston Township, Clearfield County, Pennsylvania, for two months and more immediately preceding the election of November 5, 1878?—A. Yes, sir.

Re-examined:

Q. When was you born?—A. In 1857; I will be 22 years old the 13th of April.

Q. Have you always resided in Pennsylvania?—A. Yes, sir.

Q. Where does your father live?—A. In Huston Township, Clearfield County, Pennsylvania.

Q. What business do you follow?—A. Farming.

Q. What year was you born in?

(Objected to, for the reason that the witness in an answer to a previous question.)

A. In 1857.

Q. How do you know?—A. I have got it at home in the Bible; that's the way I know.

Q. Do you swear that you was born in the year 1857?

(Objected to, because the witness has already sworn twice that he was born in 1857.)

A. I won't swear to that; but I can find out up at home.

Q. Were you ever assessed with any tax, or did any collector ever call upon you for any tax?—A. No, sir.

Q. Where are you working now?—A. Working at home on the farm.

Q. Where was you working in October, 1878?—A. I was working at home.

Q. Were you working at home from September 1, to December 1, 1878?

(Objected to as immaterial and irrelevant.)

A. Yes, sir.

Q. What were you doing during that time?—A. I was not doing much in that time.

Q. What do you usually work at during the fall and winter?—A. Working in lumbering in the woods.

Q. Who were you lumbering for last fall and winter?—A. Wasn't doing anything in the fall; working for Hi. Woodward in the woods in the winter.

Q. Are you or were you ever married?—A. No, sir.

Q. Have you a brother or sister older than yourself?—A. I am the oldest.

Q. How old is the next oldest brother or sister younger than yourself?—A. My sister is next younger than me; she is 18 years old.

Q. When was your sister next younger than you born?—A. I could not tell you.

Q. Is your father living?—A. Yes, sir.

Q. Will you to-day produce the record of your birth, as recorded in the family Bible of your home?

(Objected to for the reason that there is no evidence that there was ever a subpoena duces tecum served upon the witness to bring the record of his birth with him when he came here to testify.)

A. Yes, sir.

And now, 12.30 p. m., March 28, 1879, adjourned until 1 p. m., same day.

Now, 1 p. m., same day, notary and counsel on both sides present; the witness not appearing, the same is adjourned until 2 o'clock p. m., same day.

Now, 2 o'clock p. m., same day, witness still absenting himself, and on that account it being impossible to further examine him or have him subscribe his testimony, another witness is called, and the taking of testimony resumed.

(Counsel for contestant objects and refuses to proceed with the further examination of any witnesses until the contestee produces John Banner, who was a witness sworn and testifying in this case at the time of the adjournment at 12.30 p. m., and thereby gives counsel for contestant an opportunity to cross-examine and have reduced to writing the testimony of the said John Banner, and further that at the proper time counsel for contestant will move the committee of Congress to strike from the record all the testimony of the said John Banner in this case, reserving the right, however, to withdraw the aforesaid objection at any time before or during the consideration of this testimony by the committee in Congress for contested rights to seats in the Congress of the United States.

Counsel for contestee in reply to the foregoing objection respectfully states, that the examination of the witness Banner was continued for one half-hour past noon, the usual hour of adjournment, and the same was then adjourned without any disapproval from any one, for two reasons: First. To permit those engaged therein to go to dinner; and second, to permit the witness to get the record of his birth, in order

that he might the better testify to the date thereof, which is the fact upon which depends the legality or illegality of his vote.

Counsel for contestee will endeavor to bring the witness back, and are anxious that his testimony be finished, and he will be called at the earliest possible moment.)

JOSEPH L. WHITEHEAD sworn.

(Objected to for the same reason as stated in the objection to the testimony of John H. Brown, a previous witness called and sworn.)

Question. Where were you born?—Answer. In Pennsylvania.

Q. Did you reside in the State of Pennsylvania for more than one whole year immediately preceding the election of November 5, 1878?—

A. Yes, sir.

Q. Are you married?—A. No, sir.

Q. Did you pay a State or county tax within two years preceding the election of November 5, 1878?—A. No, sir.

Q. Where do you reside?—A. In Union Township, Clearfield County, Pennsylvania.

Q. Did you vote in the election district of Union Township, Clearfield County, Pennsylvania, at the election of November 5, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for Congress?—A. For Curtin.

Cross-examined :

(Counsel for contestant, reserving all legal rights and privileges, proceeds to cross-examine.)

Q. What was your age at the election of November 5, 1878?—A. Twenty-one years the December before.

Q. Were you between the ages of 21 and 22 years at the date of said election?—A. Yes, sir.

Q. Did the election board of Union Township, Clearfield County, Pennsylvania, ask or demand from you any evidence that you was a legal voter?—A. Yes, sir.

Q. What did they require you to do?—A. My father was on the board, and he told them I was of age.

Q. What position did your father occupy on that board of election?—A. I do not know.

Q. Was he judge, one of the inspectors, or one of the clerks?—A. I can't tell you.

Q. When your father vouched for your age at said election of November 5, 1878, did he satisfy the board that you were a legal voter, and between the ages of 21 and 22 years?—A. Yes, sir; he did.

Q. Did the board at said election ask or require of you to sign any written or printed or partly written and printed affidavit of your legal qualification as a voter in the said district?—A. They did until my father told them I was a legal voter.

Q. Had you resided in the election district of Union Township, Clearfield County, Pennsylvania, for two months and more immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Re-examined :

Q. What is your father's politics?—A. Democratic. I hardly know how to answer that question; he was a kind of a Greenbacker last summer, but was always a Democrat before.

Q. When were you born?—A. In December, 1856.

Recross-examined :

Q. When you say you voted for Curtin for Congress, do you mean Andrew G. Curtin?—A. Yes, sir.

And further saith not.

JOS. L. WHITEHEAD.

Attest:

[SEAL.]

W. N. PROTHERO,
Notary Public.

JACOB BEER SWORE.

(Objected to for the same reason as stated in the objection to the testimony of John H. Brown, a previous witness called and sworn in this case.)

Question. Where do you reside?—Answer. Huston Township, Clearfield County, Pennsylvania.

Q. Where and when were you born?—A. In Huston Township, Clearfield County, Pennsylvania. I was 23 years old the 12th of November, 1878.

Q. Are you married?—A. Yes, sir.

Q. Did you reside in Huston Township, Clearfield County, Pennsylvania, for more than one whole year immediately preceding the election of November, 5, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax within two years preceding said election that was assessed more than two months and paid more than one month prior thereto?—A. Yes, sir.

Q. Have you a receipt for such payment, and will you produce it?—A. Yes, sir.

(Witness produces receipt dated May 11, 1878, for State and county taxes of Jacob Beer for the year 1878, signed by D. McGaughey, treasurer, per Wright.)

Q. Did you vote in Huston Township, Clearfield County, Pennsylvania, at the election of November 5, 1878, and for whom did you vote for Congress?—A. Yes, sir; I voted the Republican ticket. I forgot; I can't think of it.

Q. Do you mean that you have forgotten for whom you voted, or are you merely unable to recall his name?—A. I cannot speak the name.

Q. The two candidates for Congress at said election were A. G. Curtin and Seth H. Yocum; did you vote for either of them; and if so, which of them?—A. Yocum, I think, is the one.

Q. Don't you know you voted for Yocum, the Republican candidate for Congress?—A. Yes, sir.

Cross-examined :

(Counsel for contestant, reserving all legal rights and privileges, proceeds to cross-examine.)

Q. Had you resided in the election district of Huston Township, Clearfield County, Pennsylvania, for two months and more immediately preceding the general election of November 5, 1878?—A. Yes, sir.

Q. Did you read the ticket you voted for Congress at said election?—A. Yes, sir.

Q. What other names were on that ticket except the name of Yocum?—A. It appears to me Hoyt was not it.

Q. Can you remember any other names that were on the ticket?—A. No, sir.

Q. How does it come that you can remember the name of Yocum and cannot remember the name of any other candidate on that ticket?—A. I suppose my memory ain't very good.

Q. For whom did you vote for supreme judge at said election?—A. I don't remember.

Q. For whom did you vote for State senator at said election?—A. I don't remember.

Q. Now since your memory serves you so poorly as to the names of other candidates at said election, how can you, or do you, swear positively, that you voted for Yocum?—A. Can't answer that; I have no reason for remembering.

Q. If you have forgotten the names of the other candidates on the ticket, how does it come that you have not also forgotten the name of Yocum?—A. I suppose that name was in my memory.

Q. Did you read your ticket that you voted on November 5, 1878, with such care and attention that you are now willing to swear the name of Yocum was on the ticket you voted at said election?—A. I am willing to swear that I voted the Republican ticket any way.

Q. Did the board of election in Huston Township, Clearfield County, Pennsylvania, ask or require from you when you presented your vote to sign any written or printed or partly written or printed affidavit with witnesses subscribing thereto?—A. No, sir.

Re-examined:

Q. Was not the principal fight at the election between Curtin and Yocum, the candidates for Congress?

(Objected to because it is leading.)

A. I don't remember.

And further saith not.

his
JACOB + BEER.
mark.

Now, March 28, 1879, at 4.40 p. m., adjourned without day.

The following interlineations and erasures appear in the foregoing testimony, which were made in the presence of counsel on both sides as the testimony was reduced to writing:

Page 2, the word "objection" erased on 23d line from top.

Page 4½, the word "said" erased on 18th line from top.

Page 5½, between 14th and 15th lines from top "1878" interlined.

Page 11, the word "it" erased on 29th line from top.

Page 12½, between 1st and 2d and 2d and 3d lines from bottom, the words "objected to by counsel for contestant as immaterial and irrelevant" erased because notary public commenced at wrong end of page.

Page 13, between 17th and 18th lines, the words "had been assumed" interlined.

Page 18½, between 13th and 14th lines, the words "as Representative" interlined.

Page 25, on 24th line from top, erasure made and the word "no" written.

Page 28½, the word "that" erased on third line from bottom.

Page 39½, between 2d and 3d lines from top, word "Frow" erased and the word "Bloom" interlined.

Page 45, on 5th line from bottom, the words "that Frow" erased.

Page 50, on 6th line from bottom, the word "asked" erased and had interlined, and the word "asked" written in margin of 5th line from bottom.

Page 51½, the word "before" interlined between 13th and 14th lines from top.

Page 54, between 1st and 2d lines from top, the word "Nov." interlined.

Page 54½, on 21st line from top, the words "witness refuses" erased.

Page 61, between 8th and 9th lines from top, the word "you" interlined.

Page 65½, between 21st and 22d lines from top, the words "rent in" interlined.

Page 72, on 19th line from top, the word "by" erased.

Page 72½, between 13th and 14th lines from top, the word "Nov." interlined.

Page 81½, between 4th and 5th lines from top, the word "to" interlined.

Page 83, between 5th and 6th lines from top, the word "could" interlined and "did" erased.

Page 83, on 11th line from top, the word "because" erased and word "what" interlined.

Page 83½, between 1st and 2d lines from bottom, the word "preceding" interlined, and between 2d and 3d lines the word "State" interlined.

Page 87½, on 11th line from top, the word "yes" erased and "no" interlined.

Page 94, on line 19 from top, the words "did you" erased.

Page 100, between 2d and 3d lines from bottom, the word "witness" interlined.

Page 106½, between 11th and 12th lines from top, the word "last" interlined, and on 13th line from top the word "they" erased.

Page 117, on 9th line from top, the word "were" erased.

Page 120½, on 12th line from the top, the word "how" erased.

Page 121, between 8th and 9th lines from bottom, the word "did" interlined.

Page 131, on 8th line from top, the word "taken" erased.

Page 134½, between 12th and 13th lines from top, the word "Aus." interlined.

Page 137½, between 18th and 19th lines from top, the words "he told me that" interlined.

Page 138, between 9th and 10th lines from top, the word "him" interlined.

Page 139½, on 2d line from top, the word "affirmed" erased, and on the 3d line the word "sworn" written.

Page 147½, between lines 13 and 14 from top, the words "members of the" interlined.

Page 148½, between lines 22 and 23 from top, the words "held the" interlined.

Page 149, between lines 19 and 20 from top, the words "as required" interlined.

Page 151½, between lines 8 and 9 from top, the words "Yes, sir" erased, and between lines 19 and 20 from top, the words "Yes, sir" erased. (The witness so pronounced that he was hard to understand at first answer.)

Page 154½, on 3d line from bottom, the words "was it" erased.

Page 160½, on line 17 from top, the words "I made out receipts" erased.

Page 162, between lines 10 and 11 from top, the word "taxes" interlined.

Page 166, between lines 1 and 2 from bottom, the word "not" interlined.

Page 166 $\frac{1}{2}$, on line 9 from top, the word "ask" erased.

Page 169, between lines 2 and 3 from top, the figures "1878" interlined.

Page 170, on 9th line from top, the word "Malford" erased and "Mellville" interlined on line above.

Page 171, on line 18 from top, the word "you" erased.

Page 176, on 3d line from top, the word "and" erased and "selling it and" interlined.

Page 180 $\frac{1}{2}$, on 6th line from top, the word "for" and "ed" erased and the word "in" interlined.

Page 183, on line 11 from top, the word "before" erased and "after" interlined.

Page 184, on 9th line from bottom, the word "who" erased.

Page 184 $\frac{1}{2}$, on 17th line from top, the word "witness" erased.

Page 188, between lines 19 and 20 from top, the word "in" interlined.

Page 194, on line 21 from top, the word "positively" erased.

Page 200, between lines 3 and 4 from bottom, the word "immediately" interlined.

Page 201, between lines 6 and 7 from top, the words "an affidavit" interlined.

Page 203 $\frac{1}{2}$, between 10th and 11th lines from bottom, the word "age" erased.

Page 212 $\frac{1}{2}$, below line 16 from top, "and State" is erased.

Page 215, between lines 3 and 4 from bottom, the words "I did" interlined.

Page 216 $\frac{1}{2}$, between lines 6 and 7 from top, the word "paid" interlined.

Page 222, on 20th line from top, word "September" erased and "October" interlined.

Page 222 $\frac{1}{2}$, on 3d line from top, the figures "1878" erased, and on 12th line the word "days" erased and "evening" interlined.

Page 234 $\frac{1}{2}$, between lines 9 and 10 from bottom, the words "account of" interlined.

Page 239, between 12th and 13th line from top, the words "the last" interlined.

Page 239 $\frac{1}{2}$, on bottom line, the word "George" erased.

Page 240, on 6th line from bottom, the words "I met him" erased.

Page 245 $\frac{1}{2}$, on 2d line from bottom, word "whether" interlined.

Page 256 $\frac{1}{2}$, between lines 4 and 5 from bottom, words "by the" interlined.

Page 258, between lines 9 and 10 from bottom, word "immediately" interlined.

Page 263, between lines 2 and 3 from top, words "are the barn" interlined.

Page 266 $\frac{1}{2}$, between lines 11 and 12 from bottom, words "eight years ago" interlined.

Page 267 $\frac{1}{2}$, between lines 9 and 10 from bottom, words "more than" interlined.

Page 268, between lines 10 and 11, words "No, sir" interlined.

Page 274 $\frac{1}{2}$, between lines 16 and 17 from top, words "State and county" interlined.

Page 275 $\frac{1}{2}$, on 4th line from bottom, word "you" erased and figures "1878" interlined.

Page 279 $\frac{1}{2}$, between lines 3 and 4 from bottom, word "election" interlined, on 12th line from bottom word "paper" erased.

Page 281, on 3d line from bottom, word "say" erased, "told her" interlined.

Page 284, between lines 15 and 16 from top, words "the objections to" interlined.

Page 285 $\frac{1}{2}$, between 14th and 15th lines from top, word "same" interlined.

Page 286, on line 11 from top, word "object" erased.

Page 288, on line 11 from bottom, words "how much" erased.

Page 288 $\frac{1}{2}$, on 11th line from top, words "I think" erased.

Page 290 $\frac{1}{2}$, on line 5 from bottom, the word "paid" erased, and between 12th and 13th lines from bottom, word "has" interlined.

Page 296, on 10th line from bottom, word "his" erased.

Page 301, on line 19 from top, words "the said" erased.

Page 308, between lines 7 and 8 from bottom, the words "as counsel" interlined.

Page 309, between lines 15 and 16 from top, word "were" interlined, and on 22d line word "papers" erased.

Page 309 $\frac{1}{2}$, on first line from top, the words "and in H" erased.

Page 312 $\frac{1}{2}$, between lines 8 and 9 from the bottom, the word "her" interlined.

Page 313, between lines 15 and 16 from top, the words "for more than" interlined.

Page 317 $\frac{1}{2}$, between 2d and 3d lines from the top, words "with your wife and family" interlined.

Page 321 $\frac{1}{2}$, on 19th line from top, word "under" erased.

Page 327, on 14th line from bottom, the words "for governor" erased, and on 7th line from bottom word "for" interlined.

Page 329, between lines 12 and 13 from bottom, the words "or not" interlined.

Page 329 $\frac{1}{2}$, between lines 1 and 2 from bottom, the word "ticket" interlined.

Page 330, on 10th line from top, "Ques. Did you" erased.

Page 331, between lines 14 and 15 from top, the word "paid" interlined.

Page 336, between lines 11 and 12 from top, words "of State and county taxes" interlined.

Page 341 $\frac{1}{2}$, on 9th line from bottom, the words "no, it is" erased.

Page 346, between lines 1 and 2 from top, the word "immediately" interlined.

Page 356 $\frac{1}{2}$, on 5th line from top, the word "Yocum" erased, and on 4th line from bottom, the word "voted" erased.

Page 358 $\frac{1}{2}$, between lines 11 and 12 from top, the word "reside" interlined.

Page 363, between lines 5 and 6 from top, the words "do you" interlined.

Page 364, on line 11 from top, word "the" erased.

Page 367, between lines 19 and 20 from top, the word "on" interlined.

Page 368 $\frac{1}{2}$, on 7th line from bottom, the word "not" erased.

Page 372 $\frac{1}{2}$, on line 17 from top, word "board" erased.

Page 373, between lines 4 and 5 from bottom, the word "adjourned" interlined, and on 4th line from top, the word "right" erased.

Page 374 $\frac{1}{2}$, on 7th line from bottom, the word "State" erased.

Page 376, between lines 10 and 11 from bottom, the words "for remembering that" interlined, and on 13th line from bottom, "Ques. Have" erased.

Page 380 $\frac{1}{2}$, on 7th line from bottom, the word "because" erased.

Page 386, on 3d line from bottom, the word "for" erased.

Page 390, on 3d line from bottom, the word "October" erased.

Page 392, on 9th line from bottom, word "is" erased.

Page 392½, between lines 6 and 7 from top, the words "received this tax from you" interlined, and between lines 6 and 7 from bottom, words of "Woodward Township, of Clearfield County, Pa.," interlined.

Page 396½, between lines 1 and 2 from bottom, the words "can you" interlined.

Page 402½, between lines 6 and 7 from bottom, the words "State and" interlined.

Page 407, between lines 1 and 2 from bottom, the word "not" interlined.

Page 411, between lines 14 and 15 from top, words "cross ex." interlined.

Page 417½, between lines 10 and 11 from top, the word "any" interlined.

STATE OF PENNSYLVANIA,
County of Clearfield, ss:

I, W. N. Prothero, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made therein, and particularly set forth on pages 421 to 425 inclusive, were made by me on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 18th day of April, 1879.

[SEAL.]

W. N. PROTHERO,
Notary Public.

CLINTON COUNTY.

Depositions of witnesses produced, sworn or affirmed, and examined before O. S. Houtz, a notary public in and for the county of Clinton, and State of Pennsylvania, resident in the city of Lock Haven, in said twentieth Congressional district, at the office of T. T. Abrams, in the borough of Renovo, in the county of Clinton, on Monday the 24th, Tuesday the 25th, and Wednesday the 26th days of March, A. D. 1879, by virtue of notices of contestee upon contestant in above case, hereto attached, marked "A," O. S. H., N. P.; "B," O. S. H., N. P.; and "C," O. S. H., N. P.

(Counsel for contestant serves notice upon counsel for contestee and upon O. S. Houtz, notary public, that they name and select W. S. Clawwater, esq., notary public, as associate to said Houtz, and that they will require depositions to be certified by said Clawwater with said Houtz. Notice marked "D," O. S. H., N. P., hereto attached.)

JOHN B. BRIDGENS sworn, deposes and says:

Question. State your name, age, residence, and occupation.—Answer. John B. Bridgens; age, 43; residence, Chapman Township, Clinton County Pennsylvania; occupation, is a farmer.

Q. State whether or not you paid a State or county tax within two years prior to November 5, 1878.—A. I did.

Q. When did you pay it, and to whom?—A. I paid December 12, 1876, to J. P. Hammersly.

Q. Did you pay it in money, and did you take a receipt at the time?—A. Yes, sir.

Q. When were those taxes assessed?—A. I think in 1876.

Cross-examined by T. C. HIPPLE, Esq., for contestant:

Q. Is there any other John Bridgens in Chapman Township over the age of 21 years, to the best of your knowledge?—A. Not that I know of.

JOHN B. BRIDGENS.

JAMES WELCH sworn and examined.

Question. State your name, age, residence, and occupation.—Answer. James Welch; 21 years May 26 last; residence, Renovo, Clinton County, Pennsylvania; occupation, engineer.

Q. State whether you voted in the Renovo election-district November 5, 1878.—A. Yes, sir.

Q. For whom did you vote for Congress?

(Objected to by counsel for contestant for the reason that the witness is presumed to have been a legal voter until the contrary is shown; that he has not been shown to lack any one of the legal qualifications of a voter, and until that has been shown he cannot properly be called upon to disclose the name of any candidate or person for whom he voted.)

A. For Andrew G. Curtin.

Cross examined:

Q. Did you read your ticket you voted?—A. I wouldn't say for sure. I know I voted for Curtin. My father gave me the ticket.

Q. Did you yourself read the name of Andrew G. Curtin upon your ticket?—A. Yes, sir.

JAS. WALSH.

THOMAS TIERNEY sworn and examined.

Question. State your name, age, residence, and occupation.—Answer. My name is Thomas Tierney; age, 44 years; residence, Renovo, Clinton County, Pennsylvania; occupation, carpenter. I sometimes use an "H" in my name.

Q. State whether or not you voted at the Renovo election-district on the 5th day of November, A. D. 1878.—A. Yes, sir; I did.

Q. For whom did you vote for Congress November 5, 1878?

(Objected to because it is irrelevant and the witness, having shown thus far to have been a legal voter, is not bound to disclose for whom he voted at the election.)

A. For Andrew G. Curtin.

Cross examined by T. C. HIPPLE, Esq.:

Q. Did you read the ticket you voted?—A. Yes, sir.

Q. Is there any other person in the Renovo election-district by the name of Thomas Tierney or Thomas H. Tearney than yourself?—A. I don't know; there have been others here, but do not know whether they were at that time or not.

Q. Was there on the 5th of November, '78, election day, any person of either of these names in Renovo, to the best of your knowledge and belief?—A. I do not know.

THOMAS TIERNEY.

PATRICK MURRY sworn and examined, depose and says :

Question. State your name, age, residence, and occupation.—Answer. Patrick Murry ; over forty years of age ; have resided in Renovo since last December two years ago ; was absent at hospital in New York some four months in 1877 ; my occupation, that of a laborer.

Q. State whether you voted on the 5th of November, 1878, in the Renovo election-district.—A. Yes ; I did.

Q. State whether or not you voted the Democratic ticket.

(Objected to because it is irrelevant. Witness has not been shown to be an illegal voter, and is therefore not bound to disclose for whom he voted.)

A. I did not see the ticket because the polls were about closing when I got there ; think mine was the last vote polled.

Q. Who gave you your ticket ?—A. I believe it was John Duffy.

Q. What is John Duffy's politics ?—A. I think he is a Democrat. I don't know whether he votes that, but think he is a Democrat. I always thought he was.

Q. What is your politics ?—A. I always vote the Democrat ticket.

Q. Is that the ticket you asked for on the 5th of November, 1878 ?—

A. I could not tell whether I asked for that ticket or not ; he was a good Democrat, and I supposed that was the ticket he was giving me.

Cross-examined :

Q. Did you make such an examination of your ticket that you could now tell, under oath, who was on your ticket for Congress, and if the name of Seth H. Yocum had been on the ticket which you voted, would you from any examination you made have detected it ?—A. I did not open the ticket and could not tell.

PATRICK MURRAY.

CHRIST. KOLLER sworn.

Question. State your name, age, residence, and occupation.—Answer. Name, Christopher Koller ; age, 27 years next 12th day of October ; residence, Renovo, Clinton County, Pennsylvania, and occupation machinist.

Q. State whether or not you voted on the 5th day of November, 1878, in the election district of the borough of Renovo ?—A. I did.

Q. For whom did you vote for Congress ?

(Objected to because witness has not been shown to lack of qualifications of a legal voter and is therefore not bound to disclose for whom he voted.)

A. Andrew G. Curtin.

Cross-examined :

Q. Did you read the ticket you voted ?—A. I did.

Q. Where were you born ?—A. In Saint Mary's, Elk County, Pennsylvania.

Q. Had you resided in the borough of Renovo sixty days prior to the 5th of November, 1878 ?—A. I had.

Q. Have you paid a State or county tax within two years in Pennsylvania prior to the 5th of November, 1878, at least thirty days before said election ; and, if so, when ?—A. Yes, sir ; tax was paid.

Redirect examination :

Q. When did you pay taxes within two years prior to November 5, 1878 ?—A. My taxes was paid sixty days before the election.

Q. When did you pay them ?—A. My taxes were paid by another

party—a good friend of mine. I had no employment and was not able to pay them.

Q. Who paid them?—A. Mr. Edward Dowling.

Q. When did you get a receipt?—A. Mr. Dowling told me some time before the election that he had my tax receipt and had paid my taxes, and that he would hand it to me.

Question repeated.

A. I am not positive whether he gave me the receipt the day before or on the morning of the election.

Q. Were you present when he paid your taxes?—A. No, sir.

Q. From your own own knowledge can you say when your taxes were paid?—A. No, sir; I think the receipt was dated the 30th day of August, but am not positive.

Recross-examined:

Q. Did you not pay either a county or State tax since November, 5, 1876, other than the tax you have been speaking of? If so, state when and to whom.—A. I have. I don't positively know who is State and county collector; paid to Squire Smith and others, but don't know what taxes they were.

Q. State whether you paid any taxes to John Zimmerman, a collector in Renovo, since November 5, 1876?—A. I cannot positively say, but think I have.

Q. How long have you voted in Renovo?—A. Ever since I become of age—about six years.

Redirect examination:

Q. You can't now state whether you have paid any State or county tax within two years prior to November 5, 1878, can you?—A. I am not positive on that question; sometimes my parents, when I am working, pay my taxes.

Recross examined:

Q. Are you not certain, with reference to the tax of 1878, that you said your friend Dowling had paid for you?

(Objected to because the witness has already said that he was not present when those taxes were paid and had no knowledge of his own when then they were paid.)

A. I am certain that he had paid it because I asked the tax collector; he told me they were paid.

CHRIST KOLLER.

JOHN MINEHAN sworn.

Question. State your name, age, residence, and occupation.—Answer. John Minihan is my name. I suppose I am about twenty-seven or twenty-eight years of age. Residence, Renovo, Clinton County, Pennsylvania; occupation that of a laborer.

Q. State whether or not you voted at the election held in the election district of the borough of Renovo on the 5th day of November, 1878.—A. I voted at that election.

Q. What is your politics?—A. Democratic.

Q. State whether or not you voted the Democratic ticket at said election.

(Objected to because the witness has not been shown to lack the qualifications of a legal voter, and is therefore not bound to divulge how he voted.)

A. It was my intention to vote that ticket.

Q. Did you get your ticket from a Democrat?—A. I did.

Q. Did you ask him for a Democratic ticket?—A. I did.

his
JOHN + MINIHAN.
mark.

Witness:

O. S. HOUTZ,
Notary Public.

JAMES REILLEY sworn.

Question. State your name, age, residence, and occupation.—Answer. James Reilley; was twenty-two years of age on 1st day of March, 1879; residence, Renovo, Clinton County, Pennsylvania; occupation, boiler-maker's apprentice.

Q. Did you vote at the election held in the election district of the borough of Renovo on the 5th day of November, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?

(Objected to because the witness not having been shown to lack any of the qualifications of a legal voter, he is not bound to divulge how he voted.)

A. I voted for Andrew G. Curtin.

JAMES REILLEY.

THOMAS McLANE sworn.

Question. State your name, age, residence, and occupation.—Answer. Name is Thomas McLane; am about thirty-four years of age; residence at Renovo, Clinton County, Pennsylvania; occupation, a boiler-maker.

Q. Did you vote at the election held in the election district of the borough of Renovo on the 5th day of November, 1878?—A. I did, sir.

Q. For whom did you vote for Congress?

(Objected to because witness has not been shown to lack any of the qualifications of a legal voter, and therefore not bound to divulge for whom he voted.)

A. I voted for Andrew G. Curtin.

Cross-examined:

Q. How long have you lived in Renovo?—A. Over two years lately.

Q. Have you paid within two years prior to the 5th of November, 1878, and at least thirty days before said election, any county or State tax in the State of Pennsylvania?—A. I think so. I paid for 1876 in Renovo.

Q. Did you take a receipt for such tax?—A. Yes, I did.

Q. Can you state about the time you paid the tax?—A. I think it must have been in March or April, 1878; to John Zimmerman.

Q. Did you see or read the name of Andrew G. Curtin upon your ticket for Congress?—A. I did not on the one I voted; I knew by the heading that it was the ticket I wanted to vote.

Redirect:

Q. Did you get your ticket from a Democrat?—A. I got it from a Democrat.

Q. Did you ask for a Democratic ticket?—A. When the man gave me the ticket I asked whether this was a Democratic ticket. He answered, "Yes; all right."

THOMAS McLANE.

MICHAEL LOVETT sworn.

Question. State your name, age, residence, and occupation.—Answer. My name is Michael Lovett; age, about thirty; residence, Renovo, Clinton County, Pennsylvania; occupation, laborer.

Q. Did you vote at the election held in the election district of the borough of Renovo on the 5th day of November, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?

(Objected to because the witness has not been shown to lack any of the qualifications of a legal voter, therefore is not bound to disclose for whom he voted.)

A. I do not know; did not look at my ticket, but suppose for Andrew G. Curtin.

Q. Did you get your ticket from a Democrat?—A. Yes, sir.

Q. Did you tell him you wanted a Democratic ticket?—A. No, sir; I just asked the man for a ticket.

Q. Do you vote the Democratic ticket?—A. Yes, sir.

Q. From whom did you get your ticket?—A. From John Duffey.

Q. Does John Duffey know you to be a Democrat?—A. Yes, sir; I suppose he does.

Q. Was John Duffey giving out Democratic tickets that day?—A. Yes, sir; he was when I was there.

Cross examined:

Q. Do you know of any other Michael Lovett, or M. Lovett, in the borough of Renovo at the time of the November election than yourself?—A. No, sir; I don't know any person by that name but myself.

Redirect examination:

Q. Do you know all the people in Renovo?—A. Yes, sir. I know pretty near all of them.

MICHAEL LOVETT.

Adjournment until 9 a. m., March 25, 1879.

RENOVO, *March 25—9 a. m.*

THOMAS GEARY sworn.

Question. State your name, age, residence, and occupation.—Answer. Thomas Geary; 68 years of age; residence, Renovo, Clinton County, Pennsylvania; occupation, a laborer.

Q. Did you vote at the State and county election held in the election district of the borough of Renovo on the 5th day of November, 1878; and, if so, for whom did you vote for Congress?

(Objected to because the witness has not been shown to lack any of the qualifications of a legal voter, and therefore is not bound to disclose for whom he voted.)

A. I did vote at that election. I voted the Democratic ticket, and for Andrew G. Curtin.

Cross-examined:

Q. How long have you lived in Renovo?—A. Nine years last fall.

Q. Have you paid a State or county tax within two years prior to November 5, 1878, and thirty days prior to the same?—A. I paid on the 23d of April, 1878, to John Zimmerman, county collector.

Q. Did you take a receipt?—A. I took a receipt.

Q. Have you the receipt now in your possession, and will you show it to the examiner?

(Objected to unless the receipt shall be attached to the testimony. 2nd. Because there are no such things as examiners here.)

(Question withdrawn.)

Q. Have you the receipt in your possession, and will you show it to the commissioners?

(Objected to unless the receipt shall be attached to the testimony.)

A. I have the receipt in my possession, and herewith exhibit it to the commissioners.

(Receipt shown.)

Q. Have you in your possession your naturalization paper? If so, produce it to the commissioners.

(Objected to unless the paper shall be attached to the deposition.)

A. I have, and hereby exhibit it to the commissioners.

Q. What day and year were you naturalized, and where?—A. On the 18th day of September, 1876, in Lock Haven, Clinton County, Pennsylvania.

Redirect examination :

Q. How do you spell your name?—A. I spell my name Gary.

Q. Your name, then, is Thomas Gary?—A. Yes, sir.

Q. Who told you to bring your tax receipt and naturalization paper here with you?—A. Myself, so that there might be no difficulty about my right to vote.

Q. Who talked with you about your right to vote?—A. No one but myself.

Q. Do you say you have not talked with anybody about your testimony that you were to give here to-day since you were subpoenaed to attend?—A. Yes, I asked John Smith, esq., and he told me to bring my naturalization papers and my tax receipt.

Q. Then you say that John Smith told you to bring these papers here to-day?—A. Yes, sir.

Q. Where did you see John Smith?—A. In his office in Renovo.

Q. When did you see him?—A. Last Saturday.

Q. Have you seen him since last Saturday?—A. No, sir.

Q. What is John Smith's politics?—A. I don't know, sir.

Recross-examined :

Q. You stated that you spelled your name Gary. Is it spelled sometimes by others in a different way; and, if so, how?—A. I don't know. I spell it Gary; other men spell their names Garry.

Q. Have not you seen your own name written by others Geary?

(Objected to because the question suggests to the witness the answer counsel desires to have.)

A. I have. That is the way I spell my name, Geary.

Q. If the commissioners have written in your deposition before this that you told them that you spelled your name Gary, did they understand you properly?—A. No, sir. I told them that I spelled my name Geary.

Q. In your naturalization papers your name is spelled Gary. Is that intended for you personally?

(Objected to : 1st. That the naturalization papers are not in evidence. 2d. That the naturalization paper which witness holds is not his, but belongs to a different man of a different name. 3d. That the records of the court cannot be corrected in these proceedings.)

A. I can't tell. That is not the way I told them to spell my name.

Counsel for contestant here offers the following as a copy of the witness' naturalization paper :

"Certificate of naturalization."

"UNITED STATES OF AMERICA,
 "*Clinton County, ss :*

"At a court of common pleas, holden in and for Clinton County, in the commonwealth of Pennsylvania, on the eighteenth day of September, in the year of our Lord one thousand eight hundred and seventy-six, on the petition of Thomas Garey, an alien and native of Ireland, being presented and read, signifying his desire to be admitted a citizen of the United States, he, the said Thomas Garey, having in all things complied with the acts of Congress in such case made and provided, and having in open court taken and subscribed the necessary oath according to law, the court thereupon admitted the said Thomas Garey to become a citizen of the United States, and ordered all the proceedings aforesaid to be recorded by the prothonotary of said court, which was done accordingly.

"In witness whereof I, W. H. Brown, prothonotary of said court, having hereunto set my hand and seal of office at Lock Haven the 18th day of September, A. D. 1876.

"W. H. BROWN,
 "*Prothonotary.*"

(To which is attached the seal of the court of common pleas of Clinton County, Pennsylvania.)

(Objected to because the original has not been offered in evidence. 2d. Because the paper from which counsel read shows upon its face that it has been changed and mutilated. 3d. Because the original is not the certificate of any court record. 4th. Because counsel has not correctly dictated the original. 5th. It is irrelevant in that the original is not the certificate of naturalization of the witness on the stand. 6th. Because a copy cannot be put in evidence in the manner in which this is attempted to be done.)

I. T. Abrams, attorney for contestant, says, in response to the objection of counsel for contestee, that the exceptions of said counsel are not true in fact, and asks the commissioner to examine the original certificate of naturalization of witness, and state wherein such certificate has been changed or mutilated.

Q. (The original certificate of naturalization shown witness.) Is that the paper you received from the prothonotary of Clinton County on the 18th of September, 1876, when you were naturalized?

(Objected to: 1st, unless the paper shall be offered in evidence. 2d, because counsel for contestant has improperly directed the commissioner to note in the testimony that the original certificate is shown witness before the witness has been asked the question whether it is the original certificate or not.)

A. Yes, sir; in Williamsport.

Q. What were you going to say about Williamsport when counsel for contestee interfered?

(Objected to until counsel states in what manner counsel for contestee interfered.)

A. I got my first papers in Williamsport, and these I got at Lock Haven.

THOMAS GEARY.

ALEXANDER MACKLIN sworn.

Question. What is your name, age, residence, and occupation?—Answer. Name, Alexander Macklin; age, about 55 or 56; residence, Chapman Township, Clinton County, Pennsylvania; occupation, laborer.

Q. Did you vote at the State and county election held in the election district of the township of Chapman, county of Clinton, on the 5th day of November, 1878? If yea, for whom did you vote for Congress?—A. I did vote at that election; voted for Andrew G. Curtin for Congress.

A. MACKLIN.

ALEXANDER MACKLIN recalled by counsel for contestee.

Question. Where is your residence?—Answer. In fourth ward, Lock Haven, that is, it was there until last spring.

Q. Have you not just said that your residence is now in Lock Haven, and has been for a long time?—A. Yes, sir.

Q. Do you still claim Lock Haven as your residence?—A. Yes.

Q. Do you own property in Lock Haven?—A. Nothing but loose property, household goods.

Q. How long has your residence been in Lock Haven?—A. It must be ten years; may be more.

Cross-examined.

Q. Are you a single or married now?—A. Single.

Q. When did you move to Chapman Township and commence work there?

(Objected to because the witness has not testified that he moved to Chapman Township but that his residence is still in Lock Haven.)

A. I did not move at all, nothing but myself.

Q. When did you move up yourself to Chapman Township?

(Objected to because the witness says he has not moved.)

A. I haven't moved anything but myself.

Q. When did you that?—A. Last April.

Q. Have you made Chapman Township your home since then?—A. Yes.

Redirect examination:

Q. Do you mean that you make Chapman Township your home while you are working there?—A. Yes, sir.

Q. You are only staying temporarily in Chapman Township while you are at work?—A. Yes, sir.

Q. You pay your taxes in Lock Haven?—A. Yes, sir.

Q. And for the last ten years consider and call that your home and your residence?—A. Yes, sir.

Recross examined:

Q. When did you pay your last county and State taxes in Lock Haven?—A. Last summer a year ago.

Q. Do you get your boarding and lodging in Chapman Township since you have been working there?—A. Yes, sir.

A. MACKLIN.

GEORGE M. KORTEBEIN sworn.

Question. State your name, age, residence, and occupation?—Answer. Name, George M. Kortebein; age, 26; residence, Renovo, Clinton County, Pennsylvania; occupation, painter.

Q. Did you vote at the State and county election held in the election district of the borough of Renovo on the fifth day of November, 1878; and if so, for whom did you vote for Congress?

(Objected to; witness has not been shown to lack any of the qualifications of a legal voter, and therefore is not obliged to disclose for whom he voted.)

A. I did vote at that election ; I voted for Mr. Yocum.

Q. Where were you born ?—A. I was born in Holland.

Q. In what year did you come to the United States ?—A. In the year 1854, I think ; I was one year old, so I have been taught to believe ; came before I was old enough to recollect.

Q. Did you come to this country with your father ?—A. No, sir ; father came six months or a year in advance of the balance of the family.

Q. Is your father still living ?—A. He is.

Q. Is he a naturalized citizen of the United States ?

(Objected to, that it is not the best evidence to prove the fact of naturalization.)

A. Yes, sir.

Q. How long has he been naturalized ?—A. Between the years 1853 and 1861 ; he was naturalized in 1861.

Q. How long have you lived in the State of Pennsylvania ?—A. At least nineteen years.

Q. How long did you live in the borough of Renovo prior to November 5, 1878 ?—A. I came here on the 4th of March, 1878.

Q. When did you last pay a State or county tax in the State of Pennsylvania ?—A. The last county tax I paid in the State of Pennsylvania was March 20, 1878.

Q. Where did you pay said tax ?—A. In Williamsport, Pennsylvania.

Cross-examined :

Q. Have you been a witness in this Congressional contest before this ?—A. No, sir.

Q. You state you voted for Yocum for Congress ?—A. Yes, sir.

Q. How did you find out that your father was naturalized ?—A. By his coming home for his papers when his vote had been challenged.

Q. Did you ever see his naturalization papers ?—A. Never that I know of.

Q. Then all you know about it is what you have heard your father say ?—A. That is all, but I am positive all the same, that is, I am positive that he has them.

Q. Were you registered as a voter in the borough of Renovo ?—A. It seems not.

Q. Did you make and file an affidavit as to your residence at the time you voted ?—A. I made an affidavit to get my vote in.

Q. Did any voter or voters of the borough of Renovo, on the 5th of November, 1878, when you voted, make any affidavits of your residence for you, and were any filed ?—A. No, sir ; all the proof I had was my tax receipts and my own affidavit.

Redirect examination :

Q. Do you know the fact that your father voted, and, if so, how many years did you know him to vote at a State or county election ?—A. Since 1865.

G. M. KORTEBEIN.

At this point an adjournment took place until March 26 at 9 a. m.

RENOVO, *March 26—9 a. m.*

M. C. BIRGE sworn.

Question. State your name, age, residence and occupation.—Answer. M. C. Birge ; age, thirty-six ; residence, Farrandsville, Colebrook Township, Clinton County, Pennsylvania ; occupation, a laborer.

Q. How long has your residence been in Colebrook Township?—A. About twenty years; went there in 1847; been away off and on, about twenty years continuously.

Q. State whether or not you voted at the State and county election held in the election district of the township of Noyes, in the county of Clinton, State of Pennsylvania, on the fifth day of November, 1878.—

A. Yes, sir.

Q. Were you registered in said township of Noyes?—A. No, sir.

Q. Did you make or file an affidavit with the election board in said township of Noyes at the time you voted there?—A. No, sir.

Q. Did any one make or file an affidavit as to your residence with the election board at the time you voted there?—A. No, sir.

Q. Where were you registered as a voter?—A. In Colebrook Township.

Q. For whom did you vote for Congress on the 5th day of November, A. D. 1878?—A. Andrew G. Curtin.

Cross-examined:

Q. Are you married or single?—A. Single.

Q. When did you go up to Noyes Township?—A. 1st of August, 1878.

Q. What are you following as a business in Noyes Township?—A. Lumbering.

Q. Did you go to Noyes Township with the intention of making it your home provided you could get permanent employment?

(Objected to because any intention on the part of the witness based upon a contingency is irrelevant in these proceedings. 2nd. No matter upon what contingency the witness may have intended to make his home in Noyes Township, he has already testified that he has not made that his home, but that his residence has been in Colebrook Township for twenty years continuously.)

A. No, sir, is my answer to the whole question.

Q. Can you read printed matter?—A. No, sir; I am no scholar at all.

Q. Then, of your own knowledge, you don't know what candidate for Congress was printed or written on the ticket you voted?—A. Yes, sir; I do.

Q. Did you read the ticket?—A. Yes, sir; I read that much of it.

Q. What letters were in the name of the candidate you voted for for Congress November 5, 1878?

(Objected to because either a poor scholar or a good scholar may read a name and recognize it as the name at the time of reading it, and four or five months afterwards may not be able to repeat the spelling of it.)

A. I don't believe I could spell it now.

Q. How could you make out the name of the candidate for Congress by reading it when you have already sworn that you can't read printed matter?—A. I always show my ticket to a man that can read who votes the same ticket that I do, that is, if I can't make it out myself.

Q. Did you do that in this instance?—A. Yes, sir.

Q. Is that the way by which you found out the name of the candidate for Congress you voted for?—A. Yes, sir.

Q. If that is the way in which you found out the name of your candidate for Congress you voted for, how did you come to swear that you could read enough of the ticket to find out on your own account?—A. You bothered me there.

Redirect examination :

Q. Can you read any print at all ?—A. Very little ; not enough to understand it.

Q. To whom did you show your ticket ?—A. John Saltsman.

Q. Did he point out the names of the candidates upon your ticket and tell you who they were ?—A. Yes, sir.

Q. Did he point out the name of Andrew G. Curtin on your ticket ?—A. Yes, sir.

Q. Is John Saltsman a Democrat ?—A. He is a Democrat and a strong one, too.

Q. Are you a Democrat ?—A. I am.

Recross-examined :

Q. Then your entire knowledge of the candidate for Congress that you voted for is based on the knowledge you received from John Saltsman ?

(Objected to because the witness has already testified that he can read a little.)

A. Yes, sir.

his
M. C. + BIRGE.
mark.

Witness present :

O. S. HOUTZ.

FRANK JOHNSON sworn.

Question. State your name, age, residence, and occupation.—Answer. My name, Frank Johnson ; suppose about thirty-seven or thirty-eight years of age ; residence, Grugan Township, Clinton County, Pennsylvania ; occupation, a laborer.

Q. Have you paid a State or county tax within two years prior to November 5, 1878, and at least thirty days before said time ?—A. Yes, sir.

Q. To whom did you pay it ?—A. To John Grugan, of Grugan Township, who had the county duplicate.

Q. State how you paid him.—A. I paid him in a settlement.

Q. Did you pay him any money ?—A. No, sir, not on the taxes ; he owed me in the settlement and paid me balance coming to me in money.

Q. Did he give you a receipt ?—A. No, sir.

Q. Did he mark your taxes paid on the duplicate ?—A. They say not ; I never looked at the book ; can't answer the question.

Q. What did John Grugan owe you for ?—A. Labor.

Q. What kind of work did you do for him ?—A. Principal part was for tending mason, gathering stone up and carrying mortar.

Q. What were the masons building ?—A. A wall to set a kitchen on.

Q. When did you pay the last State or county tax previous to that which you worked for John Grugan to pay ?—A. I couldn't hardly answer that ; can't say whether it was in 1876 or not ; I think I paid Johnson tax in 1875 ; think in the summer flood ; think it was in June, 1876 ; am not sure.

Q. Was that the time that you paid your last taxes prior to those you worked for Grugan to pay ?—A. I believe it was.

Q. Did you vote at the State and county election held in the election district for the township of Grugan, Clinton County, Pennsylvania, on the 5th of November, A. D. 1878 ?—A. Yes, I did.

Q. For whom did you vote for Congress at said election ?

(Objected to because witness has not been shown to lack any of

the qualifications of a legal voter, and hence is not obliged to disclose how he voted.)

A. For Andrew G. Curtin.

Cross-examined :

Q. How long have you lived in the township of Grugan ?—Lived there all my life.

Q. Was your name on the registry list on the 5th of November, A. D. 1878, at the time you voted ?—A. I couldn't hardly tell ; never looked at the registry.

Q. You have voted in Grugan Township since you become of age ?—A. Yes, sir.

Q. At the time you say John Grugan and you settled, did he agree to apply enough of what he owed you on your county or State tax ?—A. I believe he did.

FRANK JOHNSON.

JOHN GRUGAN sworn :

Question. State your name, age, residence, and occupation.—Answer. John Grugan ; 54 years of age ; residence, Grugan Township, Clinton County, Pennsylvania ; occupation, a farmer.

Q. Are you the collector of the county taxes of Grugan Township, Clinton County, for the year 1878 ?—A. Yes, sir ; I am collector for Grugan Township.

Q. Do you know Frank Johnson, of Grugan Township, who has testified immediately preceding you ?—A. Yes, sir.

Q. Is his name on the duplicate of county taxes for Grugan Township for the year 1878 ?—A. Yes.

Q. What amount of taxes does said duplicate show to be charged against him ?—A. Fifty cents.

Q. Are any of said taxes marked paid on said duplicate ?—A. No, sir.

Cross-examined :

Q. Did not Frank Johnson pay to you these taxes by labor performed for you at least thirty days prior to November 5, 1878 ?

(Objected to, because county taxes cannot be paid in that way.)

A. Well, you will have to let me explain about that. I had Frank Johnson employed about the first week of July. When we settled there was a balance coming to Frank Johnson from me. This, so far as I know, was a final settlement. If the tax was not paid in that settlement, it was my fault. Johnson understands that the tax was paid in that settlement, as I understand him to say.

Q. What amount of money was coming to Frank in this settlement ?—A. I can't say ; more than the amount of tax.

Q. Do you remember that Frank Johnson, at this settlement, and at least thirty days before November 5, 1878, told you to credit the amount of his taxes on the duplicate ?

(Objected to, because what Frank Johnson said is immaterial, and the witness has already testified that he cannot remember what took place at the settlement.)

A. I do not.

Q. Did you not say and admit to Frank Johnson and several others on election day, on the 5th of November, 1878, that he had paid his taxes, but you forgot to scratch it out ?

(Objected to, that it is immaterial if witness did say so.)

A. Frank told the board and me also that he had paid his taxes, and I had reason to believe that he had done so, as I had settled with him

and there was a balance coming to him. I was not aware that his tax was not marked out until the judge of election discovered it at the township election this spring.

Q. To the best of your knowledge and belief, were Frank Johnson's taxes for 1878 paid in that settlement?

(Objected to, because the question is clearly improper; 2nd, because the witness has testified already that he had no recollection of their payment; 3rd, because the taxes could not be paid in that settlement.)

A. I don't see how I can qualify that any further than what I have done.

Redirect examination:

Q. Are you a Democrat?—A. Yes, sir.

Q. How long have you voted the Democratic ticket?—A. I have always identified myself with that party.

Q. Are you a member of the vigilance committee of the Democratic party of your township?—A. Yes, sir; so I understand.

JOHN GRUGAN.

And now, Renovo, March 26, 1879, it is hereby agreed between counsel for contestant and counsel for contestee that Taylor Werts, Scott Dickinson, and Nicholas Watt, all of Leidy Township, Clinton County, Pennsylvania, shall be sworn and examined this day on the part of the contestee, instead of Thursday, March 27, or Saturday, March 29, 1870, as per notice marked "E," O. S. H. N. P., hereto attached, to have the same effect as if due and legal notice of their examination for this day had been served by the contestee.

T. T. ABRAMS,

Attorney for Andrew G. Curtin, Contestant.

W. C. KRESS,

Attorney for Seth H. Yocum, Contestee.

TAYLOR WERTS sworn.

Question. State your name, age, residence, and occupation.—Answer. Taylor Werts; age, thirty years; residence, Leidy Township, Clinton County, Pennsylvania; occupation, a farmer.

Q. How long have you lived in Leidy Township?—A. I was born there, and have lived there all my life.

Q. State whether you have paid a State or county tax within two years prior to November 5, 1878, and at least one month prior to said 5th day of November, 1878, which was assessed at least two months before November 5, 1878?—A. Yes, sir.

Q. Mention of the names of the collectors to whom you paid said taxes?—A. Michael Sullivan, in 1876; David Calhoun, in 1877, and David McCoy, in 1878.

Q. Were those men the collectors of the county tax of Clinton County, for Leidy Township, in said years, respectively?—A. They were.

Cross-examined:

Q. Whom did you vote for for Congress on the 5th of November, A. D. 1878?—A. I don't know rightly.

Q. Then you can't tell for whom you voted for Congress?—A. Not correctly.

TAYLOR WERTS.

SCOTT DICKINSON sworn.

Question. State your name, age, residence, and occupation?—Answer. W. Scott Dickinson; 32 years; residence, Leidy Township, Clinton County, Pennsylvania; occupation, a lumberman.

Q. How long have you lived in said Leidy Township?—A. I think about nine years.

Q. Where were you born?—A. In the province of New Brunswick. (Certificate of naturalization of W. Scott Dickinson, reciting that he is an alien and native of New Brunswick, from the records of the court of common pleas of said county of Clinton, Pennsylvania, dated September 15, 1875, with the seal of the said court attached thereto, shown witness.

Above stated paper exhibited to commissioners.)

Q. Have you been naturalized and made a citizen of the United States, and is the paper shown you the certificate of your naturalization?—A. Yes, sir.

Q. Have you voted in Leidy Township annually since 1875?—A. Yes, sir.

Q. Is the name of Scott Dickinson indorsed on your certificate of naturalization, November 2, 1875, intended for you, and did the officers of the election in Leidy Township so indorse it when you voted on said 2nd day of November, 1875?—A. Yes, sir.

Q. Are you commonly known by the name of Scott Dickinson?—A. Yes, sir.

Q. Is there any other person in Leidy Township of the name of Scott Dickinson, or has there been any person of that name in that township during your residence there?—A. Not that I know of.

Q. State whether or not you have paid a State or county tax in the State of Pennsylvania within two years prior to November 5, 1878, and at least one month prior to said 5th day of November, 1878, which was assessed at least two months prior to said date.—A. I did.

Q. To whom did you pay it?—A. I paid John W. Werts, June, 1876. I paid Michael Sullivan, if my memory serves me right, in July, 1878.

Q. Were those men the collectors of the county tax of Clinton County for Leidy Township in the years in which you paid them?—A. I thought so.

Q. Did they have the duplicates?—A. Yes, sir; they had a book called a duplicate.

Cross-examined:

Q. For whom did you vote for Congress November 5, 1878?—A. I am not certain.

W. SCOTT DICKINSON.

NICHOLAS WATT sworn.

Question. State your name, age, residence, and occupation.—Answer. Nicholas Watt; age, 44 years; residence, Leidy Township, Clinton County, Pennsylvania; occupation, carpenter.

Q. How long have you lived in Leidy Township?—A. Since February, 1856, permanently.

Q. Where were you born?—A. In Minersville, Schuylkill County, Pennsylvania.

Q. State when and where and to whom you paid your last State and county tax in Pennsylvania.—A. Last June; to David McCoy, in Leidy Township.

Q. Was he the collector of the county tax of Clinton County for Leidy Township that year?—A. Yes, sir.

Cross-examined:

Q. For whom did you vote for Congress November 5, 1878?—A. For Seth H. Yocum.

Q. Were you registered in Leidy Township in the year 1878?—A. I was assessed, but do not know whether I was registered.

Q. Did you file any affidavit of your own at the time you voted?—A. I did not; it was not asked of me.

Q. Did you file the affidavits of the election board of any other legal voter or voters at the election November 5, 1878?—A. No.

Redirect examination :

Q. Have you held office in Leidy Township; if so, what office and how long a time?—A. I have held a number of offices, have been a justice of the peace since 1862.

Q. Are you well acquainted in said township?—A. Yes, sir.

Q. Do you know Taylor Werts and W. Scott Dickinson, commonly known as Scott Dickinson, who have testified in this matter immediately preceding you?—A. Yes.

Q. Have you ever known any other persons in said township of the name of Taylor Werts or W. Scott Dickinson or Scott Dickinson?—A. No.

Q. Do you know David Walters, M. K. Nelson, and Patrick Foley of said Leidy Township?—A. Yes.

Q. For whom did David Walters, M. K. Nelson, and Patrick Foley vote for Congress in said township of Leidy on the 5th day of November, 1878?—A. To the best of my knowledge they voted for Andrew G. Curtin.

Q. Do they belong to the Democratic party?—A. Yes, sir.

Q. Did they ever tell you for whom they voted for Congress on said day?—A. They did.

Q. For whom did they say they voted?—A. For Andrew G. Curtin.

Cross-examined :

Q. Your knowledge is based on what they told you only?—A. On what they told me and being strong Democrats.

NICHOLAS WATT.

Erasures and interlineations.

Page 2, line (between) 24 and 25, "deposes as follows" interlined.

Page 2, line 29, "Loc" erased between "occupation" and "engineer."

Page 3, line 15, "I am sure" erased.

Page 3, line (between) "contestee deposes as follows" interlined.

Page 4, line 9, letter "a" erased before "Yes, sir."

Page 2, between lines 21 and 22, "deposes and says to the" interlined.

Page 2, line 25, "a" erased and "two" interlined.

Page 5, line 6, "think" interlined.

Page 7, line 18, "am" interlined.

Page 7, line 21, "the" erased.

Page 7, line 33, "speaking of" interlined between "been" and "if."

Page 8, line 30, blot erased, "paid" written over.

Page 9, line 8, "or" interlined between "whether" and "not."

Page 9, line 10, the capital letter "R" written over "th."

Page 10, line 12, "cross-examined" erased.

Page 10, line 13, "Q" erased.

Page 10, line 26, "been shown" interlined between "not" and "to."

Page 10, line 27, word "qualifications" partly interlined.

Page 11, line 16, "Thomas Mc" erased, the witness being recalled before signature was completed.

Page 13, line 7, "Charles H. Woods sworn" erased (witness withdrawn),

Page 13, between lines 9 and 10 "of contestee deposes and says" interlined.

Page 13, line 20, "any of" interlined between "lack" and "the."

Page 14, line 2, "took" interlined between "I" and "a," "took" erased.

Page 14, line 7, "person" erased and "things" interlined.

Page 14, line 12, "I have" erased.

Page 14, line 30, slight erasure after "then."

Page 15, line 2, "h" in "here" imperfect.

Page 15, line 11, "subpœnaed" imperfect.

Page 15, line 28, "and you also stated that others" erased and "it is spelled sometimes by others in a different" interlined.

Page 15, line 30, "some" erased and "other men" interlined.

Page 16, line 5, "my name" interlined between "spell" and "Geary."

Page 16, line 30, "for and" erased and "for" interlined.

Page 17, line 13, "William" and "W" interlined.

Page 18, line 8, "to" and "1st" between "objected" and "unless."

Page 19, line 6, "Lock Haven" interlined between "Ward" and "that."

Page 19, line 31, "to" interlined between "objected" and "because."

Page 20, line 4, "it" erased and "Chapman Township" interlined.

Page 20, line 20, "Lock" in Lock Haven not as distinct as should be.

Page 20, line 26, "deposes and says" interlined between lines 25 and 26.

Page 21, line 5, "witness has not been" interlined between "to" and "shown."

Page 22, line 2, "here" interlined between "came" and "on."

Page 23, line 2, "I know" erased.

Page 23, line 13, "Farrandsville" interlined between "residence" and "Colebrook."

Page 23, line 21, word "State" not very distinct.

Page 24, line 24, "residence" erased and "home" interlined.

Page 25, line 7, "whether" erased.

Page 25, line 33, "this" erased.

Page 26, line 1, "the" erased and "your" interlined.

Page 27, line 2, "of contestee deposes and says to the" interlined between lines 1 and 2.

Page 28, line 1, "in the spring or summer of 1875 of 1876" erased.

Page 28, line 6, "has" erased and "was" interlined.

Page 29, line 3, "you" interlined between "owed" and "on."

Page 29, line 7, "contestee deposes and says" interlined between lines 7 and 8.

Page 30, line 3, "you will" interlined between "well" and "have."

Page 30, line 8, "not" between "was" and "paid."

Page 30, line 18, slight erasure made over "on."

Page 30, line 19, "the witness" erased and "Frank Johnson" interlined.

Page 30, line 30, "and cannot now re" erased.

Page 32, line 5, "for 1878" interlined between "taxes" and "paid."

Page 31, line 22, "g" in "vigilance" not very distinct.

Page 32, line 1, "8" in "1878" changed to "9."

Page 32, line 9, "as per notice" written in left margin and "marked E. O. S., N. P., hereto attached" interlined.

Page 32, line 18, "contestee deposes and says" between lines 18 and 19.

Page 32, line 26, "30 days" erased and "one month" interlined.

Page 32, line 27, "w" in "which" written over an "?"

Page 33, line 6, "for" interlined between "for" and "Congress."

Page 33, line 14, "on part of contestee deposes as follows" between lines 14 and 15.

Page 33, line 21, words "I think" occupies part of left margin.

Page 33, line 24, "Q" erased in left margin.

Page 35, line 14, "on part of contestee deposes as follows" interlined between lines 14 and 15.

Page 37, line 31, erasure made on left of line.

I certify that the above-noted erasures, alterations, interlineations, and imperfections appearing in the body of the depositions of the witnesses herein named were made by me on the lines and pages herein noted before the respective depositions were signed by the witnesses.

O. S. HOUTZ,
Notary Public.

UNITED STATES OF AMERICA,

State of Pennsylvania, County of Clinton, ss :

We, O. S. Houtz and W. S. Clawater, two notaries public in and for the said county and State, residing within the twentieth Congressional district of Pennsylvania, do hereby certify that the above and foregoing testimony on the part of Seth H. Yocum, contestee, as to his right to a seat in the Forty-sixth Congress from the said district, written on 40 pages, was duly taken and reduced to writing by us, the witnesses being severally first sworn or affirmed and examined in the days mentioned and the places stated in the caption to these depositions and notices of contestee hereto attached; and that the questions, objections, and answers in said depositions were taken down truly and correctly as they fell from the lips of respective counsel and witnesses.

We do further certify that the erasures and interlineations made in the body of the several depositions and particularly set forth on pages 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, and 37 were made on the lines and pages therein noted before the respective depositions in which they occur were signed by the witnesses.

Witness our hands and notarial seals this 11th day of April, A. D. 1879.

[SEAL.]

O. S. HOUTZ,
Notary Public.

[SEAL.]

W. A. CLAWATER,
Notary Public.

Depositions of witnesses produced, sworn, or affirmed and examined before S. M. McCormick, a notary public in and for the county of Clinton and State of Pennsylvania, resident in the city of Lock Haven in said twentieth Congressional district, at his office on Water street, in said city, on Friday, the 28th day of February, A. D. 1879, at 8 o'clock a. m., and by adjournments from time to time hereinafter particularly noted, to wit, the 1st, 3d, 5th, 6th, 8th days of March, A. D. 1879, by virtue of contestee's notices, marked respectively A, B, C, S. M. McCormick, notary public.

H. T. HANEY, Esq., appears as counsel for contestee; T. C. HIPPLE, Esq., appears as counsel for contestant.

FRANK M. WELSH first duly sworn.

Question. State your name, age, residence, and occupation.—An-

swer. Frank M. Welsh; 42 years of age; Mill Hall, Clinton County, Pennsylvania. I am a manufacturer.

Q. Were you the secretary of the council of the borough of Mill Hall for the year 1878?—A. I was.

Q. Have you with you here the minute-book and the ordinance-book of the borough council of the borough of Mill Hall for the year 1878?—A. I have.

(Borough minute-book containing proceedings of council of September 3, 1878, showing petition of citizens of Bald Eagle Township to the chief burgess and borough council of the borough of Mill Hall, praying the said council to admit such persons and territory into their corporate limits, shown witness.)

Q. Is this a correct statement of the proceedings of council of September 3, 1878, and was the petition of citizens of Bald Eagle Township, as herein set forth, presented to the council of the borough of Mill Hall on said 3d day of September, A. D. 1878?—A. It is, to the best of my knowledge; and such a petition was presented to our borough council.

(Ordinance book of the borough of Mill Hall, containing ordinance approved and passed the 3d day of September, A. D. 1878, and entered in said ordinance book on pages 16 and 17, and attested by J. H. Hickoff, chief burgess, and by F. M. Welsh, clerk, shown witness.)

Q. Is this the ordinance book of the borough of Mill Hall?—A. It is; and it contains the ordinance passed on September 3, 1878, in reference to the admission of certain territory of Bald Eagle Township, upon petition of citizens of said township, into the limits of said borough.

(Petition, ordinance, and plan of Bald Eagle Township annexed and made part of the borough of Mill Hall, Clinton County, Pennsylvania, as filed in the court of quarter sessions of Clinton County September 11, 1878, shown witness.)

Q. Is this the original petition and draft of the territory under which the ordinance of September 3, 1878, was passed; and is it the territory included in said ordinance, and is the copy hereto attached a correct copy of that ordinance?—A. This is the original petition and draft of the territory as presented to the borough council; and the copy hereto attached is a true copy of the ordinance as passed by them on September 3, 1878.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. In whose handwriting is the alleged copy of the proceedings of the borough council of Mill Hall of September 3, 1878, purporting to show a copy of a petition of citizens of Bald Eagle Township for the annexation of certain territory to the borough of Mill Hall?—A. It is in my handwriting.

Q. In whose handwriting is the alleged ordinance annexing said territory to which your attention has been called?—A. In Wm. D. McCormick's handwriting.

Q. By whom was the petition for annexation written, and by whom was the draft thereto attached made?—A. I don't know. I think it is Platt's writing; I knew nothing about it until it came there that evening.

Q. Does not this draft attached to said petition show two distinct tracts of land, one lying northward and westward of the old borough around the Bald Eagle Valley Railroad, and the other lying southward of the old borough about the ax-factory of Robert Mann, instead of one single tract of land?—A. I don't know. It looks so on the draft. I can't say whether there are two tracts, or but one tract.

Q. Have you not heard the matter discussed, and is it not the common understanding, that that territory is composed of two separate tracts of land?—A. No; it has been the reverse that I have heard—that it is one tract.

Direct examination resumed:

H. T. Haney, esq., now offers the minutes of borough council of September 3, 1878 (a copy whereof is made by S. M. McCormick, notary public, with his certificate thereto, marked Exhibit "No. 1," attached to testimony); ordinance of the borough of Mill Hall passed by said borough on September 3, 1878 annexing the territory therein described to the borough of Mill Hall (a copy whereof is made by S. M. McCormick, notary public, with his certificate thereto, marked Exhibit No. 2, attached to testimony of contestee); also, petition, ordinance, and plan of Bald Eagle Township annexed and made part of the borough of Mill Hall, Clinton County, Pennsylvania, as filed in the court of quarter sessions of Clinton County, on September 11, 1878 (a copy whereof is made by S. M. McCormick, notary public, with his certificate thereto, marked Exhibit No. 3, attached to testimony of contestee); also, act of assembly of the commonwealth of Pennsylvania, entitled "An act for the further regulation of borough," approved the 2nd day of June A. D. 1871, pamphlet laws, page 288, &c.

T. C. Hipple, esq., counsel for contestant, objects to the offer, 1st, because the alleged proceedings of the borough council of Mill Hall, the petition upon which the same is founded, and all proceedings regarding said alleged annexation were illegal and void for the following reasons:

1st. That it appears in the evidence already offered by the contestant that the ancient borough of Mill Hall was incorporated by the court of quarter sessions of Clinton County on the 16th day of February, A. D. 1849, by virtue of proceedings under the acts of general assembly of Pennsylvania of 1st of April, A. D. 1834, and of April 17, 1846, said act of 1846, section 5, being special as to the then village of Mill Hall.

2nd. That the borough of Mill Hall having been created prior to the act of April 3, A. D. 1851, under which the petitioners proceeded, which act of 1851 applied only to boroughs to be thereafter incorporated, or to such boroughs before that time incorporated which might make application to the court of quarter session, and thus become subject to the restrictions and possess the powers and privileges conferred by the act of 1851, and it not appearing that the borough of Mill Hall ever did apply to the court of quarter sessions of Clinton County for such privileges, powers, &c., or that such powers, &c., were ever conferred upon the borough by any other competent authority; therefore the act of 1851 has no application to said borough of Mill Hall, and the borough council had no authority to annex any territory.

3d. That it does not appear that any twenty (20) of the signers to this petition are freehold owners of lots or out-lots or tracts of land in the territory sought to be annexed.

4th. That many of the signers to the petition appear to have acted in an official or representative capacity, and not as individuals.

5th. That the territory sought to be annexed does not appear to be one single tract of land.

6th. That as to the act of June 2, 1871, offered, it does not apply to the present case. If it did, it prescribes a mode of proceeding for the incorporation of boroughs and also for the change of borough limits which require a previous presentation to the court of the proper county of a petition, and public notice of the intended application for either a

charter or change of borough limits in one newspaper of the proper county, for not less than thirty days immediately before the petition shall be presented to the court, none of which requirements have been complied with in the present case.

H. T. Haney, esq., counsel for contestee, offers act of assembly of the commonwealth of Pennsylvania, approved April 3, 1851, Pamphlet Laws, pages 325, &c.

T. C. Hipple, esq., counsel for contestant, objects to above offer, for the reason that it having been enacted subsequent to the incorporation of the borough of Mill Hall, and never having been accepted by said borough nor extended to it, its provisions do not apply to said borough of Mill Hall.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. Was not the ordinance above mentioned repealed by another ordinance of the borough of Mill Hall?—A. It was by ordinance of January 7, 1879.

Q. Does that repealing ordinance appear upon the books and proceedings of the borough council of the borough of Mill Hall?—A. It does.

T. C. Hipple, esq., counsel for contestant, offers in evidence ordinance of January 7, 1879, and requests the notary to make a copy thereof and attach to the deposition. (A copy whereof is made by S. M. McCormick, notary public, marked Exhibit No. 3½, attached to testimony of contestee.)

Q. Were you clerk of council at the time that repealing ordinance was passed?—A. I was.

FRANK M. WELSH.

JAMES H. HICKOFF affirmed.

Question. What is your name, age, residence, and occupation?—Answer. James H. Hickoff; 45 years of age; Mill Hall, Clinton County, Pennsylvania; ax-maker.

Q. Were you the chief burgess of the borough of Mill Hall during the year 1878, and are you so at this time?—A. I was chief burgess of said borough from about the first of April, 1878. I am chief burgess now.

(The ordinance of September 3, 1878, heretofore offered in evidence, ordinance book of the Borough of Mill Hall, pages 16 and 17; also copy of said ordinance attached to petition, ordinance, and plan of territory of Bald Eagle Township, annexed and made a part of the borough of Mill Hall, heretofore offered in evidence, shown witness.)

Q. Is the signature of J. H. Hickoff attached to said ordinance and copy your signature?—A. It is.

Q. Did you sign as chief burgess of the borough of Mill Hall?—A. I did.

Q. Do you know a young man living in the borough of Mill Hall by the name of Add. or Addison McLain?—A. I do.

Q. Have you had any conversation with him recently in reference to his age; and, if so, what did he say?

(Objected to as irrelevant.)

A. I had. He told me he would not be of age until next June.

Q. Did he tell you that he had voted at the election held for the election district of the borough of Mill Hall on the 5th of November, A. D. 1878?

(Objected to as irrelevant, being merely the alleged statements in a casual conversation, not being the best evidence as to whether or not the party voted, not being offered to contradict any person as so far appeared in this case.)

A. He did.

Q. Did he tell you for whom he had voted for Member of Congress at said election?

(Objected to for the same reason as given to previous question.)

A. Yes; he said he had voted for Andrew G. Curtin.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestee:

Q. When and where did you have this conversation?—A. I had this conversation with him to-day in this office.

Q. Who spoke first on this subject?—A. I did.

Q. How did you come to speak to him?—A. Because I had heard it talked of that he had voted under age. I had heard this long ago.

Q. Have you met him frequently since you heard of his having so voted under age?—A. I have seen him frequently; but I do not think I have had any conversation with him before to-day about it.

Q. Did you approach him for the purpose of ascertaining what he would say on this particular subject?—A. I approached him to see whether he was really under age when he voted and for whom he voted.

Q. Did you know he had been subpoenaed and was here in this office as a witness in this contest when you spoke to him in this office?—A. I did.

Q. Are you a Republican in politics?—A. I am a Republican in politics, although I voted for Andrew G. Curtin for Member of Congress.

JAMES H. HICKOFF.

ADAM McLAIN, a witness called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Adam McLain; my age is more than I can say myself; Mill Hall, Clinton County, Pennsylvania, is my residence; laborer is my occupation.

Q. What, to the best of your information and belief, is your age?—A. I don't know anything at all about it any more than my parents say. Before the election they said that I was of age. That is all I know about my age.

Q. What do they say since the election is your age?

(Objected to as irrelevant, the casual statements of parents made since the election not being competent testimony, the best evidence being the parents themselves and family records, if any.)

A. I did not hear them say anything about my age yet.

Q. Did you not tell James H. Hickoff this morning that you would be 21 years of age next June?

(Objected to as irrelevant.)

A. I said as much as I knew about it.

Q. Did you not tell me (H. T. Haney) that since the election your parents have told you that you would be 21 years of age in June next?

(Objected to as irrelevant, it being immaterial what recent statements were made by the witness' parents, such statements being incompetent to disprove the information and instructions of the parents to the witness while he was young and under the age of 21 years; because the parents themselves could furnish the best evidence on this point when under oath.)

A. Yes, sir; I did.

Q. Did you vote at the election held in the election district for the borough of Mill Hall in November last, being the 5th day of November, 1878; and if so, did you vote for Member of Congress, and for whom did you vote?

(Objected to because the witness has not been shown to lack any of the qualifications of a legal voter.)

A. I did vote at that place. I voted for Member of Congress; but do not know the name of the person for whom I voted.

Q. Did you not vote for Andrew G. Curtin for Member of Congress? (Objected to same as to previous question.)

A. I voted for Curtin. I think that name was on the ticket. I got my ticket from Clarks.

Q. Did you not state to me (H. T. Haney) about an hour ago, that you had voted for Curtin for Congress?—A. Yes, sir.

Q. You did vote for Curtin for Congress, did you not, as you stated to me (H. T. Haney)?

(Objected to, because the witness has already stated that he got his ticket from another party, and thinks Curtin's name was on the ticket; that contestee's counsel should not contradict his own witness.)

A. Yes, sir.

Q. Before you were called upon the witness stand were you consulted or asked about your age and how you had voted by any one except James H. Hickoff and myself after you came to this office?

(Objected to as irrelevant.)

A. No, sir.

Q. Did you not have a conversation with George A. Brown, of one the attorneys for the contestant, the gentleman standing in the rear of the notary, about your age and whether or not you had voted on November 5, 1878?

(Objected to as irrelevant.)

A. I don't remember anything of it.

Q. What is your father's and mother's name?—A. My father's (or step-father's) name is Daniel McLane; my mother's name is Harriet McLane; I live with them.

Q. Can you read?—A. No, sir, I can't read or write.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant.

Q. Did you believe at the time you voted that you were over 21 years of age?—A. I did not know anything more than my mother told me; I took her word for it.

Q. What did she tell you regarding you age?—A. She told me I was 21 years of age.

Q. When did she tell you this?—A. Before the delegate election, prior to the election of November 5, 1878.

Q. How did she come to tell you this?—A. She just told me at home that I was 21 years of age.

Q. Where were you born?—A. In Bush Valley, Centre County, Pennsylvania.

Q. How long have your parents resided in Mill's Hall?—A. I think about four years prior to this time; they have lived there twice.

Q. Did you read the ticket you voted November 5, 1878?—A. No, sir.

Q. Did any one read it for you?—A. No, sir; it was tied up when I got it.

Q. Did any one read the name on it for Member of Congress to you?—A. No, sir.

Q. Did you not receive your ticket folded up and tied, and did you not vote it without opening or looking at it?—A. Yes, sir.

Q. Can you swear of your own knowledge that the name of Andrew G. Curtin was actually upon your ticket, since you did not look at your

ticket, did not read it or have it read, but voted it unopened?—A. I can't swear that his name was upon the ticket.

Q. Could not the name of Seth H. Yocum for Congress have been upon the ticket, for all you know from your examination of it, just as well as the name of Andrew G. Curtin, and if Yocum's name was on the ticket, would you have discovered it?—A. Yes, sir; the name of Seth H. Yocum could as well have been upon the ticket from all I knew; if his name had been on the ticket I would not have discovered it.

Direct examination resumed by H. T. HANEY, Esq., counsel for contestee:

Q. What Mr. Clark gave you the ticket that you voted?—A. They call him "Dutchman" Clark in Mill Hall; I think his name is William.

his
ADAM + McLANE.
mark.

Witness: S. M. McCORMICK.

Adjourns to meet at 1.45 p. m.

Met at 1.45 pursuant to adjournment.

T. H. Hipple, esq., appears as counsel for contestant. H. T. Haney, esq., appears as counsel for contestee.

C. R. GEARHART, being duly sworn, deposes as follows:

Question. What is your name, age, residence and occupation?—Answer. C. R. Gearhart; 36 years of age; either in or near Mill Hall; insurance agent.

Q. Do you live in the territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall, of September 3, 1878, was annexed to said borough?—A. I do.

Q. Did you offer to vote at the election of November 5, 1878, which was held for the election district of the borough of Mill Hall, and was your vote received by the election officer of said district of the borough of Mill Hall? If so, did you vote for member of Congress; and if so, for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

C. R. GEARHART.

JAMES FLANIGAN, being duly sworn, deposes as follows.

Question. State your name, age, occupation.—Answer. James Flanigan; 45 years of age; I work part of my time on the railroad and part of the time I weave carpet.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall of September 3, 1878, was annexed to said borough?—A. Yes, sir.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the borough of Mill Hall, and if so, was your vote received by the election officers at that place? If so did you vote for member of Congress, and for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

JAMES FLANIGAN.

MICHAEL CUSHING, being duly sworn, deposes as follows:

Question. State your name, age, and occupation.—Answer. Michael Cushing; 39 years of age; laborer.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall of September 3, 1878, was annexed to said borough?—A. Yes, sir; I do.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the borough of Mill Hall; and if so, was your vote received by the election officers at that place? If so, did you vote for member of Congress; and, if so, for whom did you vote?—A. I did so offer to vote and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

MICHAEL CUSHER.

JOHN HOWLEY, being duly affirmed according to law, deposes as follows:

Question. State your name, age, and occupation.—Answer. John Howley; 42 years of age; laborer.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall of September 3, 1878, was annexed to said borough?—A. Yes, sir.

Q. Did you offer to vote at the election held the 5th day of November, A. D. 1878, in the election district of the borough of Mill Hall; and, if so, was your vote received by the election officers of that place? If so, did you vote for member of Congress; and if so, for whom did you vote?—A. I did so offer to vote and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

JOHN HOWLEY.

JOHN KEENER, being duly sworn, deposes as follows:

Question. State your name, age, and occupation.—Answer. John Keener; 47 years of age; carpenter.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall of September 3, 1878, was annexed to said borough?—A. Yes, sir.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the borough of Mill Hall; and if so, was your vote received by the election officers at that place? If so, did you vote for member of Congress; and, if so, for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers of that place; I voted for Andrew G. Curtin for member of Congress.

JOHN KEENER.

ABNER EDMINSON, being duly sworn, deposes as follows:

Question. State your name, age, and occupation.—Answer. Abner Edminson; 55 years of age; laborer.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of the borough of Mill Hall of September 3, 1878, was annexed to said borough?—A. Yes sir.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the borough of Mill Hall; and, if so, was your vote received by the election officers in that place? If so, did you vote for member of Congress; and if so, for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

ABNER EDMINSON.

Rev. L. L. HAUGHAWOUT, duly sworn, deposes as follows:

Question. State your name, age, and profession.—Answer. L. L. Haughawout; 40 years of age; minister of the Gospel.

Q. Do you live in that territory of Bald Eagle Township which, by ordinance of the council of Mill Hall Borough of September 3, 1878, was annexed to said Borough?—A. Yes, sir.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the borough of Mill Hall; and, if so, was your vote received by the election officers at that place? If so, did you vote for member of Congress; and, if so, for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress.

L. L. HAUGHAWOUT.

Adjourned to meet on Saturday, March 1, 1879, at 8 o'clock a. m.

Met on Saturday, March 1, 1879, pursuant to adjournment and notice (marked B, S. M. McCormick) hereto attached.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

W. E. BOWERS, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. W. E. Bowers; 22 years of age; Lamar Township, Clinton County, Pennsylvania; farmer and miller.

Q. Did you offer to vote at the election held November 5, 1878, in the election district of the township of Lamar; and, if so, was your vote received by the election officers at that place?—A. I did so offer to vote, and my vote was received by the election officers at that place.

Q. Did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been proved to lack any of the qualifications of a voter.)

A. I voted for Andrew G. Curtin for member of Congress.

Q. On the 5th day of November, 1878, did you claim the right to vote upon age, and what was your age at that time?—A. I did so claim the right to vote upon age. I was then between twenty-one and twenty-two years of age.

Cross-examined by T. C. HIPPLE, Esq.:

Q. How long have you lived in said Lamar Township?—A. About twelve years.

Q. Have you lived with your parents there during that time?—A. Not all the time. They have lived in that township all that time.

Q. When were you born?—A. On December 15, 1856.

Q. Do you know any person in Lamar Township by the name of "E. W. Bowers" or any other person by the name of "W. E. Bowers"?—A. No, sir; I don't know such persons. Samuel McClintick, the assessor of that township, when he assessed me, must have made a mistake in my initials. I do not know of any "E. W. Bowers" in that township.

Q. Where were you born?—A. In Rebersburg, Centre County, Pennsylvania.

Q. Is your father a native of the United States?—A. Yes, sir; he was born near Hamburg, Clinton County, Pennsylvania.

Direct examination resumed by H. T. HANEY, Esq.:

Q. Did you not live in Porter Township, Clinton County, in 1878, and did you not vote there in the spring of 1878?

(Objected to because the witness appears to have been registered in Lamar Township, and being between twenty-one and twenty-two years of age, he was entitled to vote on November 5, 1878.)

A. I lived there at that time, and voted there that spring.

Q. Have you ever paid State or county taxes?—A. Yes, sir.

Recross-examined by T. C. HIPPLE, Esq.:

Q. When did you move from Porter Township into Lamar Township?

—A. I think it was in the last week in March, in 1878. I worked with J. A. McKibben, in Porter Township.

Q. Did you remain in Lamar Township from the latter part of March, 1878, until after the 5th day of November, 1878?—A. Yes, sir.

Q. When did you pay a State or county tax, to whom, and for what reason did you pay it, since you stated you were between twenty-one and twenty-two years of age, on November 5, 1878?—A. I paid a State and county tax on the 5th day of November, 1878, to Thomas J. Fox, collector. I was registered. I do not know that they could have made me pay tax, because I was between the age of twenty-one and twenty-two years, but I paid it anyhow. It was \$1.80. I owned some personal property. I owned a buggy, and I was taxed for that.

W. E. BOWER.

S. B. SWEELY, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. S. B. Sweely; I was born November 10, 1856; Lamar Township, Clinton County, Pennsylvania; I am a farmer.

Q. Have you ever paid a State or county tax?—A. No, sir.

Q. Did you offer to vote at the election held November 5, 1878, in the election district of Lamar Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because his name appears on the registry list of Lamar Township, offered by contestant (Exhibit F), and the witness having testified that he was born on November 10, 1856, he was entitled to vote, and being so entitled he cannot be compelled to disclose for whom he voted.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. How long had you lived in Lamar Township prior to November 5, 1878?—A. It will be two years in April 1, 1879, since my father moved into that township; and I moved with him.

Q. Where had your father lived before he moved to Lamar?—A. In Dunstable Township, Clinton County, Pennsylvania. He had lived there four years.

Q. Where were you born?—A. In Lock Haven, Clinton County, Pennsylvania.

Q. Were you duly registered by the assessor of Lamar Township?—A. I was so registered.

S. B. SWEELY.

WILLIAM H. DONAHAY, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William H. Donahay; I was born on May 28, 1857; I live in Lamar Township, Clinton County, Pennsylvania; I am a laborer.

Q. Have you ever paid a State or county tax?—A. No, sir.

Q. Did you offer to vote at the election held November 5, 1878, in the election district of Lamar Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been proven to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for Member of Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. Where were you born?—A. I was born in Lamar Township, Clinton County, Pennsylvania; I have lived there ever since.

Q. With whom did you board on November 5, 1878, and several months prior thereto?—A. With Daniel Donahay, my father.

Q. On the registry-list of Lamar Township (Exhibit F, contestant's evidence), are the names Daniel Donehey, Geo. Donehey, Jas. Donehey, and ——— Dunnahay, age, who is marked as boarding with Daniel Dunnahay; who are these parties?—A. Daniel Donehey is my father, Geo. Donehey and Jas. Donehey are my brothers, and the Dunnehay marked "age," and boarding with Daniel Donehay, is myself.

WILLIAM H. DONAHAY.

Continued to Monday, March 3, 1879, at 10 o'clock a. m.

Met on Monday, March 3, 1879, at 10 o'clock a. m., pursuant to adjournment.

H. T. HANEY, Esq., appears for contestee; T. C. HIPPLE and GEORGE A. BROWN, Esqs., appear for contestant.

GEORGE W. BATCHELER, being duly sworn, deposes as follows:

Question. What is your name, age, residence, and occupation?—Answer. George W. Batcheler; fifty years of age; Lock Haven, Clinton County, Pennsylvania; prothonotary of the court of common pleas of Clinton County, and clerk of the court of quarter sessions of the peace and of oyer and terminer of the said county of Clinton.

Q. Have you here with you the oaths of the election officers for the election district of the township of Woodward, in the county of Clinton, the triplicate election return, the affidavits of voters, and poll list for the same township for the election held on the 5th day of November, A. D. 1878, as returned to your office by the judge of the election of said township?—A. I have.

Q. When were the papers above referred to returned to your office?—A. The next day after the election—the 6th of November, 1878, I think.

Q. Have you here with you a certified copy of the oaths of election officers, the triplicate election return sheet, the affidavits of voters, and poll-list of the township of Woodward, in the county of Clinton?—A. I have certified copies of all except a full copy of the triplicate election-return sheet, which I have so far as it relates to the vote for member of Congress.

(Papers marked Exhibit No. 4 shown witness.)

Q. Are these the certified copies of which you speak of the election of November 5, 1878, of Woodward Township, Clinton County?—A. They are.

Cross-examined as to Exhibit No. 4 by T. C. HIPPLE, Esq.:

Q. In whose handwriting are these copies and exhibits?—A. In Oscar S. Houtz', of Lock Haven, Clinton County, Pennsylvania, late chairman of the Clinton County Republican committee.

(Exhibit No. 4 offered in evidence by H. T. Haney, esq., counsel for contestee.)

Direct examination resumed by H. T. HANEY, Esq.:

Q. Have you here with you the oaths of the election officers, the triplicate election return sheet, and the poll-list of the election district of the township of Dunstable, in the county of Clinton, for the general election held on the 5th day of November, 1878?—A. I have.

Q. When were the papers above referred to returned to your office?—A. They were returned the next day after the election, November 6, 1878.

Q. Have you here with you a certified copy of the oaths of election officers, of the triplicate election-return sheet, and of the poll-list of the township of Dunstable, in the county of Clinton, for the election held November 5, 1878?—A. I have, except as to the triplicate return sheet, and I have it so far as it relates to the returns for member of Congress.

(Papers marked Exhibit No. 5 shown witness.)

Q. Are these the certified copies of which you speak of the election of November 5, 1878, of Dunstable Township, Clinton County, Pennsylvania?—A. They are. These copies were made by Oscar S. Houtz.

(H. T. Haney, esq., offers Exhibit No. 5 in evidence.)

(Exhibit No. 3, being petition, ordinance, and plan of Bald Eagle Township, annexed and made part of the borough of Mill Hall, Clinton County, Pennsylvania, as filed in the court of quarter session of Clinton County on September 11, 1878, shown witness.)

Q. Was this paper filed in your office September 11, 1878?—A. Yes, sir; it was.

Cross-examined as to Exhibit No. 3 by T. C. HIPPLE, Esq.:

Q. How do you know that was filed in your office on September 11, 1878, and what record of it is there in your office?—A. I came in a short time after it was brought in. It was lying on my clerk's table. I picked it up and I said, "What is this?" He (my clerk) said he did not know what it was, but that it had been brought in by W. Scott Clawwater, and it had already been marked "Filed September 11, 1878," by my clerk. There is no record of it in my office other than the entry that is made on the back of the petition.

Q. Why was it not recorded in your office?—A. Because the attorney, Mr. Clawwater, said it was not necessary to record it. He said the act of assembly did not require it to be recorded. I told him I thought it should be recorded. C. S. McCormick, esq., an attorney at law, came in afterwards, and I asked him about recording it, and he told me I should not record it at present; that he would look up the matter and let me know about it. He has never let me know anything about it. I have never been paid anything, or tendered any fee for my services.

GEO. W. BATCHELER.

(Counsel for contestant object to the offer of Exhibits No. 4 and No. 5.)

GEORGE HANNA, of Woodward Township, called by H. T. HANEY, Esq.:

(Counsel for contestant objects to the examination of this witness at this time, for the reason that no notice of the intended examination of

this witness to-day was served upon the contestant or any of his counsel; that counsel for contestee has produced no such notice; that S. M. McCormick, before whom this testimony is being taken, has no proof whatever that any such notice was ever served, and counsel for contestant, in the absence of such notice, or proof of notice, protest against the examination of the witness, and insist that the said commissioner should not allow the examination of a witness who is improperly before him.

Counsel for contestee withdraws the witness.)

JOHN J. MOTZER, called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. State your name, residence, and occupation.—Answer. John J. Motzer. I live in Dunstable Township, Clinton County, Pennsylvania. I am a farmer.

Q. State your age.—A. I will be 22 on the 31st of March, 1879.

Q. Did you vote at the election held November 5, 1878, in the election district of the township of Dunstable; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. Where were you born?—A. In Dunstable Township, Clinton County, Pennsylvania. I was born March 31, 1857.

Q. Have you lived in Dunstable all your life?—A. I have; with my parents.

Q. Were you registered previous to the election held on November 5, 1878, in Dunstable Township, by the regular assessor of the township?—

A. I was.

JOHN J. MOTZER.

JAMES CHAMBERS, called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. State your name, residence and occupation.—Answer. James Chambers; I live in Dunstable Township, Clinton County, Pennsylvania; I am a farmer.

Q. State your age.—A. I was 21 on May 11, 1878.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the township of Dunstable Township; and if so, was your vote received by the election officers at that place; and if so, did you vote for member of Congress; and if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. Where and when were you born?—A. I was born in Lancaster County, Pennsylvania, May 11, 1857; I am living with my parents.

Q. How long have you resided with your parents in Dunstable Township, the place that you voted on November 5, 1878?—A. I have resided there eleven years; I am not married.

JAMES CHAMBERS.

AUGUSTA HAMBERGER, called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. State your name, residence, and occupation.—Answer. Augusta Hamberger; I live in Dunstable Township, Clinton County, Pennsylvania; I am a farmer.

Q. State your age.—A. I was born December 9, 1856.

Q. Did you offer to vote at the election held November 5, 1878, in the election district of the township of Dunstable? If so, was your vote received by the election officers; if so, did you vote for member of Congress; if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. Where were you born?—A. In Lock Haven, Clinton County, Pennsylvania.

Q. Are you living with your parents now?—A. I am living with my parents now, in Dunstable Township, Clinton County, Pennsylvania.

Q. State how long you have lived with your parents in Dunstable Township.—A. About eight years, continuously.

AUGUSTA HAMBERGER.

Adjourned to meet at 2 o'clock this afternoon.

Met at 2 p. m., pursuant to adjournment.

J. C. C. WHALEY, called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. What is your name, age, residence, and occupation?—A. J. C. C. Whaley; 43 years of age; Lock Haven, Clinton County, Pennsylvania; printer and publisher.

Q. Are you the editor and publisher of the Clinton Democrat, a weekly newspaper published in the city of Lock Haven, in the county of Clinton and State of Pennsylvania?—A. I am.

Q. Were you the editor and publisher of that paper during the year 1878, and for some time previous thereto?—A. I was.

Q. Have you here with you a copy of the Clinton Democrat of September 19, 1878, containing the borough ordinance of the borough of Mill Hall, approved the 3d day of September, A. D. 1878, providing for the annexation of a portion of the township of Bald Eagle, as described in said ordinance, to the borough of Mill Hall?—A. I have.

Q. In how many issues of your paper was said ordinance published, and what were the dates of the issues?—A. In three issues; September 12, September 19, and September 26.

(Copy of Clinton Democrat dated September 19, 1878, containing said ordinance, shown witness.)

Q. Is that the ordinance of which you speak?—A. It is.

(Copy of said ordinance, marked Exhibit No. 6, offered in evidence by counsel for contestant.)

T. C. Hipple, esq., objects to the offer, for the same reason given to the offers of the petition, borough ordinance, council proceedings, &c., heretofore offered by contestee; that said proceedings to effect the alleged annexation were illegal, irregular, void; and that this publication is immaterial and irrelevant.)

Q. Have you here with you a copy of the Clinton Democrat of September 26, 1878, containing the proclamation of John Candor, high sheriff of the county of Clinton, for the holding of the election of Tuesday, the 5th day of November, 1878, in the several election districts of the county of Clinton?—A. I have.

Q. How often was this notice of election published?—A. Six times.

(Copy of Clinton Democrat dated September 26, 1878, containing said proclamation, shown witness.)

Q. Is this the proclamation as published by you in the Clinton Democrat, as before stated?—A. It is.

(Copy of proclamation of John Candor, high sheriff of Clinton County, as published in the Clinton Democrat of September 26, 1878, providing for the election of Tuesday, the 5th day of November, 1878, for the several election districts in the county of Clinton, marked Exhibit No. 7, offered in evidence by H. T. Haney, esq., counsel for contestee.)

T. C. Hipple, esq., counsel for contestant, objects to this offer, as not being the best evidence of which the case is susceptible; that it is irrelevant, immaterial.)

J. C. C. WHALEY.

J. B. G. KINSLOE, called by H. T. HANEY, esq., being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. J. B. G. Kinsloe; 59 years of age; Lock Haven, Clinton County, Pennsylvania; editor and publisher.

Q. Are you the editor and publisher of the Clinton Republican, a weekly newspaper published in the city of Lock Haven, in the county of Clinton and State of Pennsylvania?—A. I am.

Q. Were you the editor and publisher of that paper during the year 1878, and for some time previous thereto?—A. I was.

Q. Have you here with you a copy of the Clinton Republican of September 25, 1878, containing the borough ordinance passed by the council of the borough of Mill Hall, approved September 3, 1878, providing for the annexation of a portion of the township of Bald Eagle, in said county, to the borough of Mill Hall?—A. I have.

Q. How often was said ordinance published in your paper, and of what dates?—A. Three times; September 11, 18, and 25.

Q. Does your issue of the same date, to wit, September 25, 1878, contain the proclamation of John Candor, high sheriff of the county of Clinton, calling for the holding of the election of Tuesday, the 5th day of November, 1878, in the several election districts of the county of Clinton?—A. It does.

Q. How often was it published?—A. My convictions are it was published six times.

(Copy of Clinton Republican dated September 25, 1878, containing the aforesaid ordinance, shown witness.)

Q. Is this the ordinance of which you spoke?—A. Yes, sir.

(Copy of Clinton Republican of September 25, 1878, containing said proclamation of John Candor, sheriff, shown witness.)

Q. Is this the proclamation as published by you in the Clinton Republican, as before stated?—A. Yes, sir.

(Counsel for contestee offers copy of said ordinance, marked Exhibit No. 8; also, copy of proclamation of John Candor, sheriff, as published in the Clinton Republican of September 25, 1878, providing for the election of Tuesday, the 5th day of November, 1878, for the several election districts in said county, marked Exhibit No. 9.

T. C. Hipple, esq., counsel for contestant, objects to copy of ordinance and of proclamation; objects for the same reason that was given to the same offer in the evidence of the previous witness, J. C. C. Whaley.)

J. B. G. KINSLOE.

Continued to Wednesday, March 5, 1879.

Met Wednesday, March 5, 1879, pursuant to continuation.

H. T. Haney, esq., appears for contestee; T. C. Hipple, esq., appears for contestant.

W. W. CLARK, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. W. W. Clark; was born in 1835; I will be 44 years of age in July next; Mill Hall, Clinton County, Pennsylvania; saddler.

Q. Are you acquainted with a young man who voted at the election district of the borough of Mill Hall on the 5th of November last, who gave his name or is known as "Ad." or Adam McLain?—A. Yes, sir.

Q. Did you give Ad. McLain or Adam McLain a ticket to vote at the election of November 5, 1878; did that ticket have on it the name of a candidate for member of Congress, and if so, whose name appeared upon said ticket for member of Congress?—A. I gave him a ticket, and Andrew G. Curtin's name was on that ticket for member of Congress.

Cross-examined by T. C. HIPPLE, Esq.

Q. Where and when did you give him the ticket mentioned?—A. I gave it to him in my shop, in the afternoon some time of the day of the election, November 5, 1878.

Q. How far is your shop from the election polls?—A. About the length of two lots; about 300 or 400 feet.

Q. Did you see McLain vote?—A. No, sir.

Q. Do you know that he voted the ticket you gave him?—A. I do not know that; I was not around with him.

Q. Could that ticket have been changed after you gave it to him, and voted thus without your knowledge?—A. It could have been changed, certainly.

Q. How long have you known Adam McLain?—A. I have known him five or six years, I guess.

Q. State whether or not you would, from his appearance, judge him to have been 21 years of age and over on the day you gave him a ticket?

(Objected to as being immaterial and irrelevant, and as not being the best evidence.)

A. I would judge him to be that; I would not be positive.

W. W. CLARK.

JAMES T. BROWN, called by H. T. HANEY, Esq., being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation?—Answer. James T. Brown; I will be twenty-two years of age next August; Lock Haven, Pennsylvania; clerk.

Q. Were you present at an interview between C. H. McKee and Mrs.

Harriet McLain, at Mill Hall, on February 28, 1879?—A. Yes, sir; I was.

Q. Did she at that interview exhibit to Mr. McKee and yourself a paper known in German as a "Taufschein," or a paper which she said was the record of Adam McLain's age?

(Objected to because the evident purpose is to contradict a person who has not yet been a witness in this contest; if not for that purpose, it is not the best evidence on the point raised as to the boy's age, and because it is irrelevant.)

A. Yes, sir.

(Paper shown witness.)

Q. Do you recognize this as the paper?—A. I do.

Q. What did she say in reference to the name?—A. The way I understood her was, that this was the father of Adam Sylvester Reninger, and that a record of when Adam Sylvester Reninger was born was on there.

Q. Did she then state that this boy (Adam Sylvester Reninger) was known as "Ad." or Adam McLain?—A. I understood her that they called him "McLain," but that was not his name; his true name being "Reninger."

Cross-examined as to this paper by T. C. HIPPLE, Esq.

Q. In what language is this paper?—A. I would call it German.

Q. Can you translate it?—A. No, sir.

Q. Do you know whether this is a baptism record or a birth record?—A. I do not know what it is.

Q. Will you please translate that part of this paper, if you can, containing the record of any birth? If you cannot translate it, so state.—A. I couldn't translate it; I would not undertake to translate it, for I can't do it.

Q. Can you then, from anything that appears upon this paper, state positively the purport and meaning of this paper?—A. Only by her word; I cannot from anything that appears upon the face of this paper state what it is.

(H. T. Haney, esq., counsel for contestee, offers in evidence the paper shown to witness as a record of birth and baptism.)

(T. C. Hipple, esq., counsel for contestant, objects to the offer as being irrelevant, there being no proof as to its contents; because the form of the offer, there being no certified copy or translation, is improper; and because there is no proof of any execution of this paper, no evidence of when it was made; and because it is not the best evidence on the question raised, Harriet McLain being alive, subpoenaed in this cause, and expected to appear in this cause; also because the offer assumes this paper to be a record of birth and baptism, without a particle of proof.)

Cross-examined by T. C. HIPPLE, Esq.:

Q. Is the Mr. McKee, with whom you went to interview this woman, C. H. McKee, esq., of Lock Haven, one of the counsel for Mr. Yocum in this contest?—A. I don't know; it is C. H. McKee, of Lock Haven, Pennsylvania, but I do not know whether he is one of counsel for Mr. Yocum or not.

Q. Is Mr. C. H. McKee an attorney-at-law in Lock Haven?—A. As far as I know, he is; I do not know anything about you lawyers.

Q. Do you not know that he is practicing law in Lock Haven, and is a member of the law firm of Kress & McKee; have you not seen him in our courts acting as a lawyer?—A. I know that he is practicing law

in Lock Haven; I guess he is a member of the law firm of Kress & McKee; I have never seen him in our courts acting as a lawyer. I have no business in these courts to see these things.

Q. Is he not at this time standing in the rear of the table at which the notary public is now writing; have you not seen him since you came into this room to be a witness, consulting with H. T. Haney, esq., counsel for contestee, who conducted your examination-in-chief?—A. He is now standing in the rear of the table at which the notary public is now writing. I have seen him since I came into this room in consultation with H. T. Haney, esq., counsel for contestee, who examined me in-chief.

Q. How long have you lived in Lock Haven, Clinton County?—A. All my life time.

Q. Do you know any other person than the gentleman of whom we have been speaking by the name of C. H. McKee?—A. No, sir.

Q. When did you go to the place where you heard these statements of Harriet McLain?—A. I can't say positive; but I think it was on Friday, February 28, 1879.

Q. How far does she live from here?—A. I can't answer that; she lives in Mill Hall; about four miles, I should call it.

Q. How did you go to that place, and with whom?—A. I went up in a sleigh with C. H. McKee.

Q. Why did you go?—A. He asked me to take him.

Q. Did he tell you what he wanted to do?—A. He said something about a Curtin and Yocum contest; he wanted to go there on matters referring to the Curtin and Yocum contest; he said that he wanted to go up there on matters referring to the Curtin and Yocum contest.

Q. Did he say anything to you on the way up about listening to the statements that might be made by Harriet McLain concerning the age of her son?—A. No, sir.

Q. Did he say anything after you arrived at her house, or where she was, and before there was any conversation with her on this point?—A. No, sir.

Q. Where did you find Mrs. McLain?—A. At her house; there was another lady with her; I do not know who the lady was.

Q. Was it a private residence where she lived?—A. I think so.

Q. Did you go into the house?—A. Yes, sir.

Q. Did Mr. McKee go in ahead of you?—A. Yes, sir.

Q. Do you say that you drove to Mill Hall, to the residence of Harriet McLain, dismounted from your sleigh, and followed Mr. C. H. McKee into a private house without his stating to you or without your understanding what his object was?—A. I don't say anything of the kind.

Q. Had you, when you entered that house, any more information or knowledge about Mr. McKee's object than that conveyed in the words you have given above—"that he wanted to go up on matters referring to the Curtin and Yocum contest"—which were spoken, as you stated, at the time he requested you to take him to Mill Hall?—A. I had more knowledge.

Q. From whom did you get it?—A. From a crowd of fellows in Mr. Clark's saddle shop, in Mill Hall; that is where I got the knowledge.

Q. Who gave the information, or stated the object of McKee's coming up?—A. I heard McKee and some of the other fellows talking there.

Q. Was that before or after you had been at the house?—A. Before I had been at the house.

Q. Then what was McKee's object, as you heard it from him, before you went with him to the house?—A. I did not hear it directly from him, but from a conversation that he and the men that were in the shop had; that he was going to that house to find out when Ad. McLain or Reninger was born.

Q. When did you first hear it stated by anybody that Ad. McLain had the other name of Reninger?—A. I first heard it when I was in Clark's shop.

Q. Between whom was the conversation at the residence of Harriet McLain, regarding the age of Ad. McLain?—A. Between Chas. H. McKee and Mrs. Harriet McLain; the other lady remained in the room during the conversation between them.

Q. What did McKee first say to Mrs. McLain?—A. He first asked if that was Mrs. McLain; she came to the door when we came; I tied my horse, which took some time, and I then went in afterwards; I don't remember what was the first thing I heard when I got into the house; the first thing I remember of hearing him say to her was something about that paper there (the paper offered in evidence by H. T. Haney, esq.).

Q. Had the paper been produced by the time you got into the house?—A. Yes, sir.

Q. Who had it?—A. Mr. McKee had it in his hands.

Q. Did Mrs. McLain read it to you?—A. No, sir.

Q. Did she say whether or not she could read?—A. She said she could not read English; I did not hear her say anything about reading German, or whether or not she could read this paper.

Q. Did you pay particular attention to the conversation?—A. I had to; I was not talking about anything else.

Q. Did you see how Mr. McKee came into possession of this paper, or did you hear any of the conversation previous to its coming into his possession?—A. I did not.

Q. Now that you gave in your examination-in-chief a part of the conversation between Mr. McKee and Mrs. McLain, state all that was said and done there at that time.—A. I can't give just the words of the parties; Mr. McKee wanted to take that paper along with him to Lock Haven, and she at first would not allow it; but after a little talk of McKee, she consented to let him have it; Mr. McKee told her he would return it to her, provided she would allow him to take it; he first read a subpoena to her, and offered her twenty cents mileage, I think; and he told her she must be in Lock Haven on March 5, 1879; she said she would not come; McKee then told her he would send after her; she told him he had better not; that she had a dog there; Mr. McKee then told her that they had a way to get rid of dogs; she then said if they came they would not find her there; that she had a place to go to hide. I think we left then.

Q. Have you, in your last answer, stated the substance of your recollection of the conversation between Mr. McKee and Mrs. McLain at that time?—A. Yes, sir.

Q. Can you recall anything material or definite in the way of conversations and statements, in addition to your last answer just mentioned?—A. I cannot now.

Q. How long were you in the house?—A. About thirty minutes, I guess.

Q. Did you take any part in the conversation?—A. I don't think I did.

Q. Did you see this paper in Mrs. McLain's hands at all?—A. No, sir.

Q. Did you have it in your hands in the house?—A. Yes, sir.

Q. Did you read it?—A. No, sir.

Q. Did you make inquiries about it?—A. No, sir.

Q. Did you say anything about it?—A. I said I could not read it.

Q. Who carried this paper from the house?—A. Mr. C. H. McKee.

Q. Who has had it since that time?—A. I don't know who.

Q. When did you last see it prior to to-day?—A. In Mrs. McLain's house, at that time.

Q. Who brought it here this morning?—A. I do not know.

Q. Since you have stated that you did not see the paper from February 28, 1879, in Mrs. McLain's house until to-day, March 5, 1879, when it was brought here by you don't know whom, do you swear, as a fact, that this is the same paper you then saw; and, if so, that it is in the same condition, writing, &c., as when you saw it?—A. It looks like the same paper that I saw in Mrs. McLain's house; I do not see how I can swear to it as a fact that it is the same paper I saw there.

(C. H. McKee, esq., objects to the witness answering the last clause of the question, because the witness is not permitted to examine or see the paper.)

(The witness is handed paper by counsel for contestant.)

A. This looks like the same paper that I saw there in the house; they might have made a fac-simile of it; I don't swear it is the same, but it looks like the same; it looks as if it was in the same condition as when I saw it at Mrs. McLain's house.

Q. What part of the written or printed portion of this paper can you repeat from your knowledge of it, gained at the house of Mrs. McLain?—A. I remember that Samuel Reninger's name was on it; I could not understand the paper very well; I also remember the general style of the printing and writing.

Q. Are there not on the margin of this paper a number of verses, or considerable printing in German? Are there not also upon it a number of bright-colored figures of men?—A. Yes, sir.

Q. Do they cause you to think that this is the same paper?—A. Yes, sir; they with the writing and printing do.

Q. Do you rely upon that portion as much as you do upon your recollection of what is printed and written in the small square in the center, alleging to relate to the birth of this person?—A. Yes; just about as much as the center.

Q. Can you recall any other names signed to or set forth in this paper?—A. No, sir.

Q. Then all you know about the writing in that paper is the name of Samuel Reninger, is it?—A. Yes, sir.

Q. Were there any dates upon it?—A. I think there was a date upon it of some year, but I do not know what it is any more.

Q. In what part of the conversation did Mrs. McLain refer to what appeared in this paper?—A. I can't remember what part.

Q. Have you stated her exact words when she referred to what appeared in this paper?—A. I don't think I did state her exact words. I don't think I can do so.

Q. Are you as uncertain about that part of her conversation as you appear to be about the others?—A. I have about the same recollection of all.

Q. When did you first know that you were to be a witness in this case?—A. Mr. McKee told me, coming from Mill Hall, that he was going to put me on the subpoena as a witness.

Q. Did he explain to you what he expected to prove by you?—A. He

wanted me to tell what occurred up there—about what occurred in the house in relation to this paper.

(T. C. Hipple, esq., counsel for contestant, renews his objection to this paper, because it is not possible from a certified copy for any person to judge of the most prominent features of the paper upon which the witness evidently relies to identify it.)

JAS. T. BROWN.

Adjourned to meet at 2 o'clock p. m.

Met at 2 o'clock p. m. pursuant to adjournment.

C. H. McKee, esq., appears as counsel for contestee.

T. C. Hipple, esq., and George A. Brown, esq., appear as counsel for contestant.

B. FRANK CABLE, being first duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation.—Answer. Frank Cable ; 29 years of age ; in Pine Creek Township, Clinton County, Pennsylvania. I am a farmer.

Q. Did you offer to vote at the election held on November 5, 1878, in the election district of the township of Pine Creek ; and, if so, was your vote received by the election officers at that place ; if so, did you vote for member of Congress ; and, if so, for whom did you vote ?

(Objected to, because the witness has not been proven to lack any of the legal qualifications of a voter.)

A. I did so offer to vote and my vote was received by them. I voted for Seth H. Yocum for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. Were you registered in Pine Creek Township so as to be entitled to vote on November 5, 1878 ?—A. I cannot tell that.

Direct examination resumed :

Q. State how long you have resided in Pine Creek Township.—About four or five years.

Q. Have you voted there during those years ?

(Objected to as irrelevant.)

A. Yes, sir.

B. FRANK CABLE.

GEORGE S. KLEIN, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation.—Answer. George S. Klein. I am 21 years of age. I was born the 28th of August, 1857. I live in Pine Creek Township, Clinton County, Pennsylvania. I am a farmer.

Q. Did you offer to vote at the election held the 5th day of November, 1878, in the election district of the township of Pine Creek ; if so, was your vote received by the election officers at that place ; if so, did you vote for member of Congress ; and, if so, for whom did you vote ?

(Objected to because the witness has not been proved to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted the full ticket. I did not know whose names were on it. I voted the full Democratic ticket.

Q. State whether or not you voted on age at the election held November 5, 1878.—A. Yes, sir.

Q. State whether or not you were required to make any affidavit before any of the election officers as to your age.—A. I did not, but my father was there as a witness.

Q. Was there a written or printed affidavit of yourself or any other person made or produced before the election officers on November 5, 1878, the day of the election, as to your age?—A. No, sir; not that I know of.

Cross examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Where were you born?—A. In Pine Creek Township, Clinton County, Pennsylvania, the place where I voted.

Q. Are you married?—A. No, sir.

Q. Have you lived with your parents all your life?—A. Yes, sir.

Q. How long had you resided in Pine Creek Township, where you voted, immediately preceding the election of November 5, 1878?—A. All my lifetime.

Q. Do you swear that the name of Andrew G. Curtin was on your ticket for member of Congress?—A. I cannot swear to that as I cannot read. I got my ticket from William Stephens. I did not show my ticket to any one. I just put it in the box. He told me it was a Democratic ticket.

his
GEORGE S. + KLEIN.
mark.

Witness: S. M. McCORMICK.

JACOB A. KLEIN, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Jacob A. Kline. I am 27 years of age. I live in Pine Creek Township, Clinton County, Pennsylvania. I am a farmer.

Q. Did you offer to vote at the election held the 5th day of November, A. D. 1878, in the election district of Pine Creek Township; and, if so, was your vote received by the election officers at that place; did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to, because the witness has not been proven to lack any of the legal qualifications of a voter.)

A. I did so offer to vote and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress. I voted the straight Democratic ticket. I did not read my ticket, but a good Democratic friend gave it to me.

Q. Who gave it to you?—A. William Stephens.

Q. State whether or not you paid a State or county tax since November 5, 1876.—A. Yes, sir.

Q. What tax did you pay since that time?—A. I paid it to Robert A. Shaw; I don't know what tax it was that I paid him.

Q. When did you pay it?—A. I paid it on the day of the election last fall—on November 5, 1878, I think.

Q. Had you paid any other State or county tax since November 5, 1876, than that you paid to Mr. Shaw, on the day of the election, November 5, 1878?—A. Yes, sir; I think I did.

Q. To whom did you pay it?—A. To John Earon.

Q. What tax did you pay John Earon?—A. I can't say now.

Q. Did you pay John Earon taxes during the year 1878 and before the election of November 5, 1878?—A. I don't know whether I did or not.

Q. Did you pay State or county taxes during the year 1877 to John Earon?—A. I don't know whether I did or not.

Q. Did you pay John Earon State or county taxes after the 5th day of November, 1876?—A. I don't know.

Q. Did you pay State or county taxes after the 5th day of November, 1876, and before the 5th day of November, 1878, to any other person than John Earon?—A. No, sir.

Q. Did you pay John Earon taxes more than one time?—A. Only one time.

Q. Was that before or after October 5, 1878, that you paid those taxes to John Earon?—A. I don't mind.

Q. Where did you pay John Earon taxes?—A. At my home, in my house.

Q. Who was present?—A. My wife, my aunt, Ellen Garman; my mother-in-law, Rebecca Garman; my uncle, G. W. Garman.

Q. Was that payment made between October 4, 1876, and October 5, 1878?—A. I don't remember.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Not having read your ticket, can you swear as a fact that the name of Andrew G. Curtin was on it for Congress?—A. I cannot; but that friend told me it was.

Q. Is the John Earon, of whom you have spoken, a son of Adam Earon, of Pine Creek Township?—A. Yes, sir; he is.

Q. Are you a housekeeper?—A. Yes, sir; I am. I have been house-keeping about four years in Pine Creek Township, Clinton County, Pennsylvania.

Q. Have you household goods? Do you own personal property and real estate?—A. I own household goods and real estate in Pine Creek Township, Clinton County. I have owned real estate about three years.

Q. Have you any reason to believe that your taxes for yourself and property have not been regularly paid?—A. No; I have not.

Q. Have you voted regularly in Pine Creek Township for a number of years past? If so, for how many?—A. I have voted there about four years.

JACOB A. ^{his} + KLEIN.
mark.

ABRAM SNYDER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Abram Snyder; I am 43 years of age; I live in Lamar Township, Clinton County, Pennsylvania; laborer.

Q. Are you acquainted with "Ad." or Adam McLain, of Mill Hall, Clinton County, Pennsylvania?—A. Yes, sir.

Q. Are you acquainted with Mrs. Harriet McLain?—A. Yes, sir.

Q. Is she his mother?—A. Yes, sir.

Q. State whether or not you know the age of Adam McLain.—A. I know the year he was born in.

Q. In what year was he born?—A. In 1858.

Q. State whether or not you had a daughter born about the same time?—A. My daughter lacks nineteen days of being a year older than he is.

Q. Are his mother and your wife related?—A. They are sisters.

Q. Have you heard them talk together with reference to the ages of the two children?—A. Yes, sir.

Q. Which of the two did they say was the older?—A. My daughter.

Q. Do you remember of Ad. McLain being born after your daughter was born?—A. Yes, sir.

Q. When was your daughter born?—A. On the 14th day of June, 1857.

Q. Have you a record of her age?—A. I have, in a small hand Bible that I have with me.

Q. Is he sometimes spoken of by any other name than McLain?—A. They have a dozen names for him in Mill Hall.

(Paper heretofore offered in evidence as a record of the birth and baptism of Ad. McLain shown witness.)

Q. Does the date in this paper correspond with your recollection of the date of the birth of Adam McLain?

(Objected to because the paper shown witness has not been proven to be a registry of the birth of Adam McLain.)

A. This date is within a day of what I judge it to be.

Cross-examined by GEORGE A. BROWN, Esq., of counsel for contestant:

Q. Where was your daughter born?—A. She was born in Porter Township, Clinton County, Pennsylvania.

Q. Where was Adam McLain born?—A. In Brush Valley, Centre County, Pennsylvania.

Q. Were you in Brush Valley at the time of his birth?—A. I was not.

Q. Then how can you state as a fact that he was born on the 27th day of May, 1858?—A. In February, 1858, my wife's brother died. My wife and I attended the funeral. I told my wife that if Harriet McLain (her sister) had not a husband, she ought to have one before long. I know that he was born on that day through my wife's mother, my mother-in-law.

Q. Do you know that this Adam McLain is that child?—A. Yes, sir.

Q. How do you know it?—A. It is the only child she ever had.

Q. How long was it after his birth until you saw him first?—A. About a month and a half afterwards, in cherry-ripe time.

Q. You have referred in your examination-in-chief to a Bible containing a record of the births in your family; when were those entries made?—A. Whenever there was one of my children born I made it; about a day after the birth I made the entry.

Q. When did you make this entry of your marriage?—A. In the same fall I was married in. It was not made just at the time I was married.

Q. Whose Bible is this?—A. That Bible belongs to me.

Q. How long did you have it before you were married?—A. About two years.

Q. Will you read to me the letters giving the year in which this Bible was published?

(C. H. McKee, esq., advises witness, as his attorney, not to answer the question unless he finds figures showing the publication of the Bible.)

A. It don't state as I can see.

Q. Do the letters MDCCCLVI appear on the bottom of the title page of the Bible you referred to in your examination-in-chief as containing the record of the births of your family and the date of your marriage?—

A. There are such letters there. I do not know what they are there for.

Q. Will you give the date of your marriage as it appears in that Bible?—A. September 20, 1856.

Q. Can you read German?—A. I cannot. By looking at the figures in this paper I can tell the dates. The writing in it is not written in German.

Q. In what language is it written?—A. "May" is written in English. Some of the written and the printed part I can't read.

Q. Who first asked you about this boy's age lately?

(Objected to as not being cross-examination, immaterial, and irrelevant.)

A. I think that that was the man (pointing to C. H. McKee, esq.).

Q. Have you had any talk with Harriet McLain as to his age lately?—A. I had a talk with her some time this last winter, after the election of November 5, 1878. Harriet McLain was at my house and told me that he (Adam McLain) had voted. I told her then I thought the boy was not old enough. She said she could not tell his age. Then I asked her what difference there was between his age and my daughter's. She acknowledged to me that my daughter was in the neighborhood of a year older than her son (Adam McLain).

Direct examination resumed by CHARLES H. MCKEE:

Q. Do you remember from whom you purchased this Bible?—A. I bought it from one of the Longs. I had two Bibles that are nearly alike. One of them I purchased since I was married. I am not positive that I purchased this Bible before I was married. One of the Bibles I have since given to my daughter.

Q. Might this Bible have been the Bible you bought after you were married?—A. I do not know; it might have been; they are very nearly alike.

Recross-examined by GEORGE A. BROWN:

Q. About how long after you were married did you buy one of the Bibles?—A. I can't say whether it was three, four, or five years; I can hardly say whether it was less than two years or not. If I am not mistaken it was in the neighborhood of three years after I was married that I bought it.

ABRAM SNYDER.

Continued, to meet on Thursday, March 6, 1879.

Met on Thursday, March 6, 1879, pursuant to adjournment.

H. T. HANEY, Esq., appears for contestee.

GEORGE A. BROWN, Esq., appears for contestant.

GEORGE L. MYERS, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer George L. Myers; I am 79 years of age; I live in Pine Creek Township, Clinton County, Pennsylvania; laborer.

Q. When did you last pay State or county taxes; where were they paid, and to whom did you pay them?—A. In 1876; I paid them to Theodore Ramm, in Pine Creek Township.

Q. What time in the year 1876 did you pay them; and have you a receipt?—A. It was in the fall, along some time before the election; I do not remember the time exactly. I have no receipt.

Q. Can you fix any definite time before the election in 1876 that you paid these taxes?—A. I cannot tell whether it was a month or a month and a half before that election that I paid them.

Q. Did you offer to vote at the election held November 5, 1878, in the election district of Pine Creek Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to, because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the officers. I voted for Curtin; I voted the Democratic ticket through.

Cross-examined by GEORGE A. BROWN, Esq.:

Q. Where were you born?—A. In Virginia.

Q. How long have you lived in the State of Pennsylvania, and in Pine Creek Township, Clinton County, Pennsylvania?—A. I have lived in Pennsylvania since 1828, and in Pine Creek Township, where I now live, since 1831.

Q. Was the tax which you say you paid to Theodore Ramm, in 1876, paid on or about the time of the general election held that fall?—A. It was paid before the election some time; I do not remember how long.

Q. Can you swear that it was paid more than a month prior to the fall election of 1876?—A. I could not swear positively how long before the election that it was paid; it was paid before the election.

Q. Do you own property in Pine Creek Township?—A. I own about three acres of land.

Q. State any agreement that you have with your daughter-in-law about paying the taxes on that land for you?

(Objected to as improper cross-examination and immaterial, so long as the taxes have not been paid.)

A. She lives on it, and she was to pay all the taxes on it; I was not to pay any taxes on it.

Q. Can you swear that the name of Andrew G. Curtin, for member of Congress, was on your ticket, you not being able to read?

(Objected to, 1st. Because the witness has already sworn that Andrew G. Curtin's name was on his ticket. 2d. Because the witness has already sworn that he voted the straight Democratic ticket.)

A. Of course it was.

Q. How do you know it was on the ticket?—A. I got a good, honest man to give me the ticket, and he read it to me. George J. F. Ramm gave it to me.

his
GEORGE L. + MYERS.
mark.

Witness:

S. M. McCORMICK.

ADAM EARON, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Adam Earon; I am 51 years of age; I reside in Pine Creek Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you the collector of State and county taxes for the year 1878, of Pine Creek Township, Clinton County, Pennsylvania?—A. Yes, sir.

Q. Will you please to state whether or not the name of Jacob A. Kline appears upon your duplicate for 1878, and whether or not said taxes have been paid?—A. That name does appear upon my duplicate for 1878, but the taxes have not been paid to the best of my knowledge.

Q. Does the name of Jacob E. Kline appear on your duplicate for 1878; and, if so, have the taxes been paid?—A. That name does appear upon my duplicate; to the best of my knowledge the taxes have not been paid.

Q. Does the name of William Rice appear upon your duplicate for 1878; and, if so, have his taxes been paid?

(Objected to, 1st. Because the purpose of the question is not stated. 2d. Because it has not been shown that he (William Rice) voted at the election held November 5, 1878.)

A. That name appears upon my duplicate; to the best of my knowledge his taxes have not been paid.

Q. Does the name of George L. Myers appear upon your duplicate for 1878; and, if so, have his taxes been paid?

(Objected to as irrelevant.)

A. That name appears upon my duplicate; to the best of my knowledge those taxes have not been paid.

Q. State whether or not you did all of the collecting of taxes which have thus far been collected on your duplicate containing the State and county taxes of Pine Creek Township, for the year 1878.—A. No, sir I did not.

Q. Who collected such of the taxes as you did not collect.—A. My son, John Washington Earon.

Q. Where does he live?—A. He lives with me, in Pine Creek Township, Clinton County, Pennsylvania.

Q. Is there anything in the duplicate to indicate that the taxes of any of the persons above named have ever been paid?—A. No, sir; there is nothing to indicate that they have been paid that I know of.

Q. So far as you know, are the taxes which have been paid so marked in the duplicate opposite the name of the person and amount of tax?—A. Yes, sir.

Cross-examined by GEORGE A. BROWN:

Q. If your son had neglected or refused to credit taxes paid to him, would you know it?—A. No, sir; I don't suppose I would know that.

Q. Are there not other Jacob Klines living in Pine Creek Township than those you have mentioned?—A. There are other Jacob Klines in that township; there is one that I know of.

Q. If Jacob A. Kline had paid your son tax and he had neglected to give the credit, would you know it?—A. I don't think I would.

Q. If George L. Myers had paid your son tax and he had neglected to give the proper credit, would you know it?—A. No, sir.

Q. If William Rice had paid your son tax and he had neglected to give the proper credit, would you know it?—A. No, sir; I would not.

Direct examination by H. T. HANEY:

Q. Do you know of any other Jacob A. Kline than the one you have mentioned?—A. There are a good many Klines, but I do not know their middle initials.

Q. Does the name of Jacob A. Kline appear in your duplicate more than once?—A. No, sir.

Q. Then, so far as you know personally and from the examination of your duplicate, there is but one Jacob A. Kline in Pine Creek Township, is there not?—A. Yes, sir.

ADAM EARON.

Adjourned to meet on Saturday, March 8, 1879, at 11 o'clock a. m.

Met on Saturday, March 8, 1879, at 11 o'clock a. m.

H. F. Haney, Esq., appears for the contestee; T. C. Hipple, Esq., appears for contestant.

ROBERT A. SHAW, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer.

Robert A. Shaw; I am 48 years of age; I live in Pine Creek Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you the collector of State and county taxes for Pine Creek Township, Clinton County, for the year 1876, and also for the year 1877? Have you the duplicates here with you containing the names of the taxable inhabitants of Pine Creek Township, with the amount of State and county taxes assessed and in your hands for collection?—A. I am the collector of State and county taxes for Pine Creek Township, Clinton County, Pennsylvania, for the year 1876 and also for the year 1877. I have with me the duplicates containing the names of the taxable inhabitants of said township with the amount of State and county taxes assessed or which were placed in my hands for collection.

Q. Does the name of Jacob A. Kline appear in your duplicates for the years 1876 and 1877?—A. It does. He is marked "exonerated" in both duplicates.

Q. Does the name of George L. Myers appear in your duplicates for the years 1876 and 1877?—A. It does; he is marked "exonerated" in both duplicates.

Q. Does the name of Jacob E. Kline appear in your duplicates for the years 1876 and 1877?—It does in the duplicate of 1876, and in the duplicate of 1877 there is a Jacob C. Kline, which is the same person.

Q. Have the State and county taxes of Jacob E. Kline for the years 1876 and 1877 been paid, or has he been exonerated therefrom?—A. They have not been paid, and he has not been exonerated.

Q. Does the name of William Rice appear in your duplicates for the years 1876 and 1877?—A. It appears on the duplicate of 1876, and he is marked "exonerated." It does not appear on the duplicate of 1877.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. You have stated that Jacob A. Kline and George L. Myers are marked on the duplicates of 1876 and 1877 as "exonerated," and that William Rice is marked on the duplicate of 1876 as "exonerated." Is that written on the duplicates; in what colored ink, and by whom were these exonerations made?—A. It is written on the duplicates in each case "exonerated." It is written in red ink. The writing in the body of the book is in black ink. These exonerations were made by the commissioners of Clinton County. One of the commissioners wrote it.

ROBERT A. SHAW.

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, S. M. McCormick, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place as stated in the caption to these depositions and subscribed their names to their respective depositions in my presence, and that the questions and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses. And I do further certify that the erasures and interlineations made therein and particularly set forth on pages 259, 260, 261, 262, 263, 264, 265, 266, 267, and 268 were made by me on the lines and pages therein noted, before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 17th day of April, A. D. 1879.

[SEAL.]

S. M. MCCORMICK,
Notary Public.

Depositions of witnesses produced, sworn or affirmed, and examined before S. M. McCormick, notary public in and for the county of Clinton and State of Pennsylvania, resident in the city of Lock Haven, in said twentieth congressional district, at his office on Water street in said city, on Monday, the 10th day of March, A. D. 1879, at 8 o'clock a. m., and by adjournments from time to time, hereinafter particularly noted, to wit, the 11th, 13th, 14th, and 17th days of March, A. D. 1879, by virtue and in pursuance of contestee's notices, hereto attached, marked respectively D and E, S. M. McC., N. P.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

Met on Monday, the 10th day of March, 1879, in pursuance of contestee's notice (marked D, S. M. McCormick, N. P.), hereto attached.

JOHN SNODGRASS, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John Snodgrass; I am 69 years of age; I reside in the annexation to the borough of Mill Hall, Clinton County, Pennsylvania. My occupation for three years has been tax-collector and a kind of a farmer.

Q. Are you the collector of State and county taxes for Bald Eagle Township, Clinton County, for the year 1876 and for the year 1877?—A. Yes, sir.

Q. Have you the duplicates here with you containing the amount of taxes assessed against the taxable inhabitants of said township, for State and county purposes, for the years 1876 and 1877?—A. Yes, sir.

Q. Does the name of Jacob Smith appear on said duplicates; and, if so, what is the amount of taxes assessed against him for State and county purposes for the year 1876 and for the year 1877?—A. It does appear on said duplicates. For the year 1876 there is assessed against him for county purposes \$3.50, and for the year 1877 the sum of \$3 for county purposes.

Q. Has any portion of either tax been paid; and, if so, how much, and for what year?—A. For the year 1876, on the tax assessed for that year, he has paid me 80 cents. That is all the tax I have received on those two years' taxes. I did not receive anything for the year 1877.

Cross-examined by counsel for contestant:

Q. Were you collector of any other taxes than State and county in Bald Eagle Township in 1876?—A. Yes, sir; I collected school tax and poor tax.

Q. When did Jacob Smith make this payment of 80 cents on account of tax?—A. I am not able to answer that question definitely. I kept no dates to the payments generally.

Q. Did you give him a receipt for this payment?—A. I cannot answer that definitely.

Q. Did he pay you any more money at the time he paid you 80 cents?—A. Yes, sir; I can't remember how much he paid me. I applied to school tax \$2.45 in full for school tax of 1876. I have not the poor-tax duplicate with me. I don't think he has paid me the poor tax in 1876 in full. His poor tax for 1875 would be about \$1.75 for 1876.

Q. Did you apply out of what he paid you enough to pay the poor tax for 1876 in full?—A. I can't answer that correctly. It is altogether likely I did.

Q. Did you not apply the money to the school and poor taxes to pay them in full, and then take whatever balance might be left and apply it to the county tax?—A. I did.

Q. Why did you not pay the county tax in full, since it appears to have been for 1876 only \$3.50, and since you appear to have received from Jacob Smith the sum of \$5; and why did you not apply the balance to the school and poor taxes?—A. That is a pretty hard question to answer directly. I can't say any more than that I did it because I am in the habit of doing it in that way. I usually make the application to that tax which is most pressing and urgent. I had no directions from Jacob Smith where to apply or upon what duplicate to apply it.

Q. State your politics.—A. I am generally Republican.

JOHN SNODGRASS.

ROBERT C. PACKER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Robert C. Packer; I am 58 years of age; I reside in Bald Eagle Township; I am a farmer.

Q. Are you the collector of State and county taxes for the year 1878 for Bald Eagle Township?—A. Yes, sir.

Q. Does the name of Jacob Smith appear on your duplicate, and what is the amount of his State or county taxes as appears upon your duplicate?—A. His name does so appear on my duplicate. \$2.40 is his county taxes. There are no State taxes.

Q. Has Jacob Smith paid all or any portion of said taxes for the year 1878?—A. No, sir; he has not paid any.

Q. Do you know Jacob Smith, whose name appears upon your duplicate?—A. Yes, sir.

Q. Did you give him a ticket to vote at the election that was held on November 5, 1878, in the election district of Bald Eagle Township, Clinton County, Pennsylvania?—A. No, sir.

Cross-examined by counsel for contestant:

Q. When did the 1878 duplicate come into your hands?—A. I think in October or November, 1878, when I got the duplicate.

ROBERT C. PACKER.

JACOB SMITH, a witness called on behalf of contestee, being first duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Jacob Smith. I am 41 years of age, I think. I live in Bald Eagle Township, Clinton County, Pennsylvania. I am a farmer.

Q. Did you offer to vote at the election held on November 5, 1878, in the election district of Bald Eagle Township, Clinton County, Pennsylvania, and was your vote received by the election officers at that place?—A. I did so offer to vote and my vote was received.

Q. What ticket did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted the Democratic ticket.

Q. Who gave you your ticket?—A. I got a ticket from Packer; I guess they call him William. He lives in the stone house.

Q. Do you know whose name was on your ticket for member of Congress?—A. I think it was Andrew G. Curtin.

Cross examined by counsel for contestant:

Q. Did you read your ticket and see the name of Andrew G. Curtin upon it for Congress?—A. I read it. I don't mind; I think it was.

Q. Do you swear, as a fact from your own knowledge gained either

by reading or examining that ticket, that the name of Andrew G. Curtin was on it for Congress?—A. As near as I know it was. So near as I know now it was; it was some time ago. I voted the Democratic ticket, and Curtin's name was the first name on it.

Q. Did you pay county taxes to John Snodgrass in Bald Eagle Township, for either the year 1876 or 1877?—A. I did pay taxes to him.

Q. How much did you pay to him?—A. I paid him \$5, the last time.

Q. Did you get a receipt from him?—A. Yes, sir; this is it.

(T. C. Hipple, contestant's counsel, requests notary public to make a copy of the receipt in this testimony.)

“Received of Jacob Smith five dollars on taxes for 1876.

“June 7th, 1878.

“JOHN SNODGRASS, *Col'r.*”

I hereby certify that the above is a true copy of the receipt spoken of above produced before me.

S. M. McCORMICK,
Notary Public.

Q. State whether or not this money, or so much of it as was necessary, was intended by you to pay your county taxes for 1876.—A. I always calculated it was to pay my county taxes.

Q. When did you first know that anybody claimed that your county taxes for 1876 had not been paid?—A. I don't know that any person claims that my county taxes for 1876 had not been paid. I do not know how he redacted off; I told him I wanted to pay my county taxes. I hardly ever take a receipt of him.

Q. Did you know at the time that the amount of money you paid was more than your county taxes for 1876?—A. Yes, sir.

Q. Did you tell Snodgrass about paying your county taxes with this money, at the time you paid him the money?—A. Yes, I told him; and that was all about it.

Q. Did Snodgrass say anything to you to show that he would not apply this money on your county taxes, as you had directed him to do?—A. No, sir. I gave him the five dollars and did not have much talk with him. I went off then.

Direct examination resumed by H. T. HANEY, Esq., counsel for contestee:

Q. When you gave him the five dollars did you not know that you owed him some poor tax, some school tax, and county tax?—A. I didn't care what I owed him. So far as county tax, I wanted paid first. I knew there was other taxes, and I calculated to pay them as soon as I could, but I wanted to pay the county taxes first.

Q. Did you talk with Snodgrass about it at the time?—A. No, I did not talk much; I had not time.

Q. When you gave him the five dollars you told him it was for your taxes. Did you tell him at that time which taxes?—A. I told him county taxes.

Q. Where was it?—A. On public road, next to my gate.

JACOB SMITH.

DANIEL LESH, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Daniel Lesh. I am 64 years of age. I live in Allison Township, Clinton County, Pennsylvania. I am a carpenter.

Q. Are you collector of State and county taxes for the fifth ward of the city of Lock Haven for the year 1876?—A. Yes, sir.

Q. Is the fifth ward of the city of Lock Haven now a part of Allison Township, Clinton County, Pennsylvania?—A. It is.

Q. Have you your duplicate with you, and does the name of William Cole appear on your duplicate, and has he paid you any State or county taxes?—A. I have my duplicate with me and the name of William Cole appears on it. He did not pay any State or county taxes on my duplicate.

DANIEL LESH.

DAVID LEITZELL, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. David Leitzell. I am 48 years of age. I reside in Allison Township, Clinton County. I am a carpenter.

Q. Are you the collector of the State and county taxes for Allison Township for the year 1877? Have you your duplicate with you?—A. I was collector for State and county taxes for 1877, and I have my duplicate with me.

Q. Does the name of William Cole appear upon your duplicate?—A. Yes, sir.

Q. Has he paid either the State or county taxes assessed as appears upon your duplicate?—A. He has not, nor has he paid any part of it.

DAVID LEITZELL.

JAMES WELSH, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. James Welsh. I am 77 years of age. I reside in Allison Township. I am a retired farmer.

Q. Are you the collector of State and county taxes for Allison Township for the year 1878?—A. Yes, sir.

Q. Have you your duplicate with you?—A. I have.

Q. Does the name of William Cole appear in your duplicate as owing State and county taxes for the year 1878, in Allison Township, Clinton County, Pennsylvania?—A. It does appear, but for county taxes, not for State taxes.

Q. What is the amount?—A. One $\frac{84}{100}$ dollars.

Q. Has he paid any portion of it?—A. He has paid nothing.

Cross-examined by counsel for contestant:

Q. When did you get this duplicate?—A. In the spring of 1878.

JAMES WELSH.

CHARLES SULLIVAN (without objection by counsel for contestant), being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Charles Sullivan; I was 21 the 12th day of August, 1878; I live in Bald Eagle Township, Clinton County, Pennsylvania; I am a school-teacher.

Q. Did you offer to vote at the election held on the 5th day of November, A. D. 1878, in the election district of Bald Eagle Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and if so, for whom did you vote?—A. I did so offer to vote, and my vote was received by the election officers at that place. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by counsel for contestant:

Q. State where you were born.—A. I was born in Bald Eagle Township, Clinton County, Pennsylvania.

Q. How long did you reside in Bald Eagle Township, the place where you voted, immediately prior to November 5, 1878?—A. Since April, 1867 or 1868.

Q. Are you married?—A. No, sir.

Q. Have you resided with your parents all your life?—A. Yes, sir.

Direct examination resumed by counsel for contestee:

Q. Have you not been reading law in the city of Lock Haven during a portion of the time during the past two years?—A. I have.

Q. Where did you board during that time?—A. At home. I live about two and a half miles from Lock Haven. I would walk from home to Lock Haven in the morning and return at night. I am the Charles Sullivan that made an affidavit on election day.

CHARLES SULLIVAN.

Continued to Tuesday, March 11, 1879, at 11 o'clock a. m.

Met pursuant to adjournment on March 11, 1879, at 11 o'clock a. m.

WILLIAM COLE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William Cole; I am 42 years of age; I live in Allison Township, Clinton County, Pennsylvania; I am a lumberman.

Q. Did you offer to vote at the election held on the 5th day of November, 1878, in the election district of Allison Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place. I voted Andrew G. Curtin for member of Congress.

Cross-examined by counsel for contestant:

Q. Did you read your ticket?—A. I read it, and saw Curtin's name on my ticket.

Q. Do you know whether you paid State or county taxes within two years preceding the 5th day of November, 1878, and one month prior to that date?—A. I can't tell, indeed. I can't say whether I did or did not. I don't mind to whom I paid the last tax to.

WILLIAM COLE.

Met on Thursday, the 13th day of March, A. D. 1878, by virtue of notice of contestee marked E, S. M. McCormick, N. P., hereto attached.

HENRY J. SNYDER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Henry J. Snyder; I am 49 years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a laborer.

Q. Please state whether or not you have a receipt for the payment of State or county taxes for the year 1877, dated October 5, 1878.—A. I have a receipt; this is it; I can't read it.

(Receipt signed Crawford J. Quiggle, dated Wayne Township, October 5, 1878, shown witness.)

Q. When did you receive that receipt, and from whom?—A. I received it from George Hoagland last fall, on the day of the election.

Q. Do you know when the taxes for which this receipt was given was paid?—A. I do not. I worked for him and he settled my taxes.

The following is a copy of the receipt :

“WAYNE TWP., Oct. 5th, 1878.

“Received of Henry J. Snyder one dol'ar for State and co. taxes for the year 1877.

“CRAWFORD J. QUIGGLE.”

I certify that the above is a true copy of the receipt produced before me and offered in evidence by H. T. Haney, esq., counsel for contestee.
S. M. McCORMICK, *Notary Public*.

Q. Did you offer to vote at the election held on the 5th day of November, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, was your vote received by the election officers at that place; if so, did you vote for member of Congress; and if so, for whom?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did so offer to vote, and my vote was received by the election officers at that place; I voted for Andrew G. Curtin for member of Congress.

Cross-examined by counsel for contestant :

Q. Did you read the ticket you voted?—A. No, sir; I think not; I cannot read. Mr. Herr, he read the ticket to me. It is the ticket I always voted, the Democratic ticket.

Q. Could you tell whether he read it right or wrong?—A. I am satisfied he read it right. I can read printing, but not writing.

Q. Do you swear that you saw the name of Andrew G. Curtin upon your ticket?—A. I do. I saw it.

Q. Were you not in the employ of George M. Hoagland for a number of years; and has he not been in the habit of paying your taxes for you for a number of years, and of being allowed credit for payments so made by him?—A. I was in the employ of George M. Hoagland; he has been in the habit of paying my taxes for me, and I have allowed him credit for the payments so made by him.

(H. T. Haney, esq., counsel for contestee, objects to the foregoing cross-examination because what was done in this particular instance is alone competent.)

Q. The name “H. J. Snyder” appears upon the poll-list returned from Wayne Township, and “Henry J. Snyder” appears on the registry-list of the same township; are you the person intended or meant in both instances?—A. Yes; I know of no other H. J. Snyder or Henry J. Snyder in Wayne Township, Clinton County, Pennsylvania.

H. J. SNYDER.

JOHN W. JOHNSON, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation.—Answer. John W. Johnson; I am 26 years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a laborer.

Q. Have you a receipt dated Wayne Township, October 5, 1878, signed by Crawford J. Quiggle, purporting to be for State and county taxes for the year 1877?—A. Yes, sir.

Q. Is this the receipt?—A. Yes, sir.

“WAYNE TWP., Oct. 5th, 1878.

“Received of John Johnson fifty cts. for State and co. taxes for the year 1877.

CRAWFORD J. QUIGGLE, *Col.*”

I hereby certify that the above is a true copy of the receipt produced before me and identified by witness.

S. M. McCORMICK,
Notary Public.

(Copy of receipt offered in evidence by counsel for contestee.)

Q. When did you receive this receipt, and from whom did you receive it?—A. I received this receipt from George M. Hoagland on the day of the election, November 5, 1878.

Q. Did you vote at the election held November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania? Did you vote for member of Congress; if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did vote at that election in Wayne Township. I think I did vote for member of Congress; I voted for Andrew G. Curtin for member of Congress.

Cross examined by counsel for contestee:

Q. The name of J. W. Johnson appears on the poll-list from Wayne Township, and John W. Johnson appears on the registry-list; are you the person intended in both cases?—A. Yes, sir.

JOHN W. JOHNSON.

THOMAS G. SIMCOX, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Thomas G. Simcox; I am 38 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a lumberman.

Q. State if you paid State and county taxes since the election of November last to any one; and if so, to whom?—A. I paid State and county taxes to John Simcox, collector of taxes of Wayne Township, since the election of November 5, 1878.

Q. Do you remember when and to whom you paid State or county taxes before?—A. I think it was in February, 1876, to James Montgomery; I am not positive as to the time, but I think it was.

Q. Have you a receipt for either of these taxes?—A. I do not know whether I have or not; I do not remember whether I got one or not.

Q. Did you vote at the election held on November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote for such member?—A. I voted at the election held November 5, 1878, in Wayne Township. I suppose I voted for member of Congress. I voted for Andrew G. Curtin. I do not know, though, what he was running for.

THOS. G. SIMCOX.

THOS. G. SIMCOX (recalled by counsel for contestant for cross-examination.)

Question. Did you pay any taxes to John Simcox in the early part of 1878; and, if so, how much?

(Objected to, because the question is improper, unless it is shown that they were either State or county taxes.)

Answer. I paid taxes to John Simcox in the early part of 1878, but I cannot state the amount. I think it was \$1.80 or \$2.80. I am the only T. G. Simcox or Thos. G. Simcox in Wayne Township.

Q. What amount of taxes did you pay to John Simcox since Novem-

ber 5, 1878?—A. In the neighborhood of \$2. I can't tell the exact amount.

Q. Were not the taxes paid since November 5, 1878, merely the balance of your taxes left unpaid after the payment made by you in the early part of 1878?—A. Certainly, they were.

Q. What time in 1878 do you mean by the "early part of 1878"?—A. I think it was in February, 1878. I would not be positive about it.

Q. Do you know what taxes were left unpaid after February, 1878, on John Simcox's duplicate?—A. I do not know what taxes were left unpaid.

Q. State the transaction of February, 1878, when you paid taxes.—A. John Simcox and I were making ties together and we got an estimate and the estimate was small, and I told him to put some on the taxes (I gave him a part of the estimate). I told him I would pay him the balance again.

Q. In reply to a question of H. T. Harey, esquire, counsel for contestee, you stated that you had paid State and county taxes to John Simcox since November 5, 1878. Do you now state that you know that it was the State and county taxes and not some other taxes that were left unpaid after February, 1878, and which you paid since November 5, 1878?—A. My taxes, State, county, road, and school were on duplicates which John Simcox had. I do not know whether he gave me the first credit on the State, county, road, or school tax. I do not remember that there was anything said by either of us as to the State or county taxes at either of the payments.

THOMAS G. SIMCOX.

RICHARD H. QUIGGLE, junior, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Richard H. Quiggle; I am twenty-six years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Have you ever paid State or county taxes to any one either in Wayne Township or elsewhere?—A. For myself to pay it, I would say "No, sir." My father and I, you may say, are one, and I know my father pays the taxes. When a tax-collector would come to our place he would not ask me for taxes, very seldom, and my father would always pay the taxes for me with his own. I cannot say whether the taxes have been paid lately; but I think my father has paid taxes for me already.

Q. Please state whether or not your State and county taxes have been paid, either by yourself or any one for you, at any time previous to November 5, 1878, and within two years of that time.—A. I would just say to that, I cannot tell.

Q. If they were paid, by whom were they paid?—A. If they were paid, they were paid by my father, Thomas Quiggle.

Q. Do you know anything about it personally?—A. I do not.

Q. Did you vote at the election held on the 5th day of November, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress? And, if so, for whom did you vote?

(Objected to, because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted on November 5, 1878, in Wayne Township election district. I voted the full Democratic ticket. I do not know for whom I voted for member of Congress. I cannot tell whether I voted for Curtin or Yocum. To the best of my knowledge I voted the full Democratic ticket.

Cross-examined by counsel for contestant :

Q. Are you married?—A. I am not.

Q. Do you now reside, and have you all your lifetime resided, with your parents?—A. Yes, sir. My father's name is Thomas Quiggle. He has a farm and I work with him.

Q. State whether or not it has been the practice and dealings between your father and yourself ever since you became a voter that he should pay your taxes without consulting you each time he paid them?—A. It has been the practice and dealings. He would sometimes tell me had paid them, and that would be all there was of it.

Q. State whether or not you have any contract for wages or payment for the labor you do for your father, and whether or not you receive anything from your father for your labor.—A. We have no contract; but I do receive anything and everything that I want and need. If I want any money or clothes, I get them as I need them.

Q. Is that why you paid no attention to the payment of taxes yourself, and is that why you say you have no personal knowledge of payments?—A. Yes, sir.

Q. Was your vote challenged at the election of November 5, 1878?—A. No, sir; not that I know of. No one spoke to me. I am R. H. Quiggle, junior. When I voted I had no reason to think my taxes had not been paid.

RICHARD H. QUIGGLE, JR.

JOHN G. DAVIS, junior, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John G. Davis, junior; I was born on July 24, 1842; I reside in Wayne Township, Clinton County, Pennsylvania; I am a laborer.

Q. State if you paid State or county taxes within two years previous to November 5, 1878; and, if so, to whom you paid them?—A. Not to my recollection.

Q. Did you vote at the election held November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to, because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted on November 5, 1878, in Wayne Township election district. I think I voted for member of Congress. I think I voted for Andrew G. Curtin. My memory is so much gone that I can't recollect as I should.

Q. Did you not vote the Democratic ticket?—A. Yes, sir; that was my calculation.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. Have you not, since the election of November 5, 1878, had severe attacks of apoplexy, or some other illness, so much so as to impair your recollection of events in the past, so that you cannot feel confidence in your memory, and so much so as to cause confusion in your recollection of your own acts, dates, names, and occurrences generally?—A. I have had such attacks and it has impaired my memory a great deal.

Q. Can you undertake to state the particulars and details of what you did, saw, or heard, as far back as November, 1878, or as far back as two years prior to November 5, 1878?—A. I can tell so far as about the taxes, and how that I came to the polls to vote. I was not challenged. I can tell what I labored at that day. I would not like to undertake that. It would be too much for me to tell all that occurred in that time.

Q. Is your memory as clear and strong now as it was before you had these attacks?—A. No, sir.

Q. Have you as much confidence in your memory as you had before you had these attacks?—A. No, sir.

Q. From whom did you get your ticket?—A. I can't be sure of that. I think it was from John Chatham. It was a young Mr. Chatham.

Q. How long have you lived in Wayne Township?—A. I can't tell that. I think somewhere near ten years.

Q. Are you a housekeeper?—A. Yes, sir; and a freeholder too.

Q. Do you own real estate?—A. Yes, sir.

Q. How long have you owned real estate in Wayne Township?—A. I can't say. I suppose for nine years.

Q. Have you not kept your taxes paid upon your real estate and personal property, to the best of your recollection?—A. I have, until the last two years.

Q. When did you last pay State or county taxes, and to whom?

(Objected to, because it is irrelevant, being a matter of no consequence as to the payment of any other taxes than State or county.)

A. I don't know; the last State or county tax that I know of was paid to James Montgomery. I can't tell when I paid it.

Q. Did you take a receipt from James Montgomery?—A. No, sir.

Q. What year did you pay James Montgomery?—A. I can't recollect

Q. How much did you pay him?—A. I can't recollect how much I paid him.

Q. Where did you pay him?—A. At his house.

Q. How do you know it was State and county tax?—A. He said it was. That is all I know.

Q. Are you not able, in some manner, to state even the year in which you say you paid James Montgomery State or county taxes?

(Objected to because the time at which it was paid is not evidence, the witness having already sworn that it was not within two years of last November; because it is immaterial and irrelevant.)

A. I am not; no, sir.

Q. Do you know for what year James Montgomery was collector of taxes?—A. No, sir.

Q. Do you know how long this payment by you was made after Montgomery became collector of taxes?—A. No, sir.

Q. Did you make this payment to Montgomery before or after the 5th day of November, 1876?—A. I can't say that; I don't know it.

Q. From all that you can remember, could that payment to James Montgomery have been made after November 5, 1876?—A. No, sir. I think I paid it so as to be entitled to a vote, as near as I can recollect.

Q. For what year did you make the payment so as to be entitled to vote, and for what election?—A. I calculated the same fall to be entitled to vote that I paid my taxes in.

Q. State what fall you mean by "the same fall," at which you calculated to vote.—A. The same fall I paid my taxes. I can't say what year it was. If I had not had this disturbance in my head, I could recollect. I had a good memory.

Q. Now, since you have stated that you cannot remember the year when you paid this tax, how can you state that you did pay it before November 5, 1876?—A. I can remember a conversation that we had. Of course I had paid my taxes before right along. I can't state what year it was in; I can't say it was in November before; I paid it before the election.

Q. Do you swear as a fact now, clearly recollected by you, that you did pay that money to James Montgomery before November 5, 1876?

(Objected to because the witness has already sworn, in chief and on cross-examination, that the payment to Montgomery was more than two years previous to November 5, 1878; and in answer to question in cross-examination as to how he knew that the payment was previous to November 5, 1876, he states, "I can remember a conversation that we had," and that he paid it before he voted that fall at that election.)

A. I don't swear to it as a fact, but to the best of my knowledge—the best of my knowledge.

Q. Why will you not answer to it as a fact?

(Objected because it is irrelevant, and designed to confuse the witness, and to weaken the testimony already drawn out on cross-examination.)

A. As I said before, my head is bothered.

(T. C. Hipple, counsel for contestant, requests the notary public to reduce to writing a statement of the witness that he has forgotten how he was sworn, whether it was the truth, the whole truth, and nothing but the truth; and if the notary refuses to reduce the statement to writing, he is requested to state why.)

H. T. Haney, esq., counsel for contestee, objects to its being reduced to writing because the remark was made voluntarily by the witness after a long cross-examination, without any motive or reason being stated, not appearing whether the witness means that he did not remember the nature of the obligation or the language in full of the oath administered by the notary. The evident purpose of having it reduced to writing being to create the impression that the witness's memory was so bad that he could not remember the nature of his obligation for the length of time that he was upon the witness-stand.

The witness stated to me: "I have forgotten how I was sworn. Was I to tell the truth, the whole truth, and nothing but the truth?" I informed him that he was to tell "the truth, the whole truth, and nothing but the truth."—S. M. McCORMICK, *Notary Public.*)

Witness continues:

My head is bad to-day, but there is one thing I recollect. Last fall I was deceived in my taxes being paid. There was a man told me that they were paid, and that it was all right, and I could vote. He said that George Hoagland had paid them to Jacob Quiggle. That was the reason I voted. I understand that my oath was concerning the case—to tell what I know.

Q. Since you have stated that you understand your oath to mean that you are to tell what you know, do you state that you know this payment to Montgomery was before November 5, 1876? If so, state fully how and why you know it.—A. I think it was two years ago last fall, as near as I can recollect; I don't know anything about the year; I can't say that I know it was before November 5, 1876. I don't remember the year.

Direct examination resumed by H. T. HANEY, Esq., counsel for contestee:

Q. Was it not your recollection during last summer and fall that you had not paid State and county taxes within the time that would have entitled you to have voted last fall; did you not so state to Michael Shurr?

(Objected because it is irrelevant and immaterial, and not the mode of proof in this particular case.)

A. My recollection, during last summer and fall, was that I had not

paid State and county taxes within the time that would have entitled me to vote last fall. I did so state to Michael Shurr.

Adjourned at 12.30, to meet at 1.30 p. m.

Met at 1.30 p. m., pursuant to adjournment. H. T. HANEY, Esq., appears as counsel for contestee; T. C. HIPPLE, Esq., appears as counsel for contestant.

JOHN G. DAVIS, Jr., the witness on the stand.

Q. Is your recollection the same now?—A. Yes, sir. There is no other J. G. Davis or John G. Davis in Wayne Township beside myself.

JOHN G. DAVIS.

WILLIAM E. LUCAS (without objection by contestant's counsel), being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William E. Lucas; I am 29 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a laborer.

Q. Have you a receipt for the payment of State and county taxes dated October 5, 1878, and signed by John C. McKague?—A. Yes, sir; that is the receipt.

Q. When did you receive this receipt, and from whom?—A. I received this receipt from George Hoagland; I did not receive it until this morning.

Q. Do you know who paid the tax which purports to have been paid October 5, 1878, by this receipt?—A. I do not know any more than what Hoagland told me. He told me in the presence of a witness that he had settled the tax.

“WAYN, October 5, in 1878.

“Received from Wm. E. Lucas 71 cts. of State and county tax.

“JOHN C. MCKAGE, Col.”

I hereby certify that the above is a true copy of the receipt referred to above, and which was produced before me.

S. M. McCORMICK,
Notary Public.

Q. Did you vote at the election held on the 5th day of November, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and if so, for whom?

(Objected to, because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I did vote at that election in election district of Wayne Township. I cannot tell for whom I voted for member of Congress. They would not allow me to open my ticket. That was the first election I ever was at that I was not allowed to open my ticket.

Q. From whom did you receive your ticket?—A. George M. Hoagland.

Q. Who told you you must not open your ticket?—A. George M. Hoagland.

Q. State if you had any conversation with George M. Hoagland just before the election about your vote and Abraham Simcox's vote.

(Objected to as irrelevant, not being stated whether on the day of the election or how long before the day of the election.)

A. No, sir; I had a conversation with John Chatham.

Q. State if you were promised any compensation or reward if you

would vote the ticket which Hoagland would give to you, and were you authorized by Chatham or Hoagland to make the same promise to Abraham Simcox?

(Objected to because it is irrelevant.)

A. John Chatham told me that Hoagland was to pay \$1.50 apiece. He told me I should pay Abraham Simcox a dollar as soon as I went home, and take a receipt, so that he could not say that he did not get nothing.

Q. Did you pay him the dollar?

(This and the foregoing question objected to because they are not covered by any charges or specifications in contestee's answer, and because it is irrelevant.)

A. Yes, sir; I did as I was told.

Q. Did you take a receipt?

(Objected to, same as to previous question.)

A. Yes, sir; but I did not bring it along with me.

Q. Did John Chatham or George M. Hoagland give you the dollar to pay to Abraham Simcox, or after you had paid Abraham Simcox the dollar, did they give you one in return?

(Objected to, same as to foregoing question.)

A. Each one of them (Chatham and Hoagland) paid me a half a dollar afterwards.

Q. Did they, or either of them, at the time you received your ticket, tell you whether it was a Republican or a Democratic ticket?—A. They (both of them) told me it was a Democratic ticket; they both stood together.

Q. Was there any one with you at the time, and where was it that they gave you the ticket?—A. Abraham Simcox was with me, and it was at the Fillman House, where the election was held.

Q. At the time that you say John Chatham told you that he would give you and Abraham Simcox each one and a half dollars, or that he and Hoagland would, if you would come and vote the ticket they gave you, did you agree to his proposition, and did you tell Abraham Simcox what Chatham had said, and did you and Abraham Simcox go to the polls on the 5th day of November, 1878, and receive your tickets from John Chatham and George M. Hoagland, which they told you were Democratic tickets, in pursuance of the arrangement that you were each to have one dollar and a half for so doing?

(Objected to as not being covered by contestee's answer, as leading in its form, and assuming the existence of a contract of bribery or selling of votes.)

A. I said if it was correct; if it was a benefit to our county I would do so. I told Abraham Simcox what John Chatham had said. I went to the polls with Abraham Simcox on the 5th November, 1878, in pursuance of the arrangement that I had that I was to receive one and a half dollars. They said that the money had been taken from the treasury to pay every poor man for his time taken for voting. I received a ticket, which I voted, from George M. Hoagland.

Cross-examined by C. T. HIPPLE, Esq., counsel for contestant:

Q. Had you paid State or county taxes within two years previous to the 5th day of November, 1878; if so, when and to whom did you pay them?—A. I did so; I paid them to John Earon, in Pine Creek Township, Clinton County, Pennsylvania. I think it was about March 15, 1878, when I paid him; it was just before I went to move from Pine Creek Township to Wayne Township.

Q. Where did you have your conversation with Chatham about paying you money, and when did you have it? Give that conversation in full.—A. In front of his house in the road. I had this conversation with him the Wednesday before the election; it was about 4 o'clock in the afternoon; I was going home from hauling ties. He stopped me on the road, and he told me that if I would come in and Abraham Simcox that he would insure us our taxes paid, and besides our one and a half dollars apiece for our day.

Q. How far do you and Mr. Simcox live from the election polls?—A. Between four and a half and five miles.

Q. Was there anything said by you about losing your time, and your not being willing to do so?—A. No, sir.

Q. What ticket did you intend to vote before you saw Mr. Chatham?—A. I intended to vote the Democratic ticket clean through.

Q. Did you intend to go to the election and vote before you were promised this money?—A. Yes, sir.

Q. If you had not been promised money, would you have gone to the election and voted the straight Democratic ticket?—A. Yes, sir.

Q. Did you intend to sell your vote?

(Objected to as improper cross-examination, the counsel having no right to inquire as to the intention either before or at the time of voting, the only competent testimony being what the witness did do, not what his intentions were.)

A. No, sir; I did not.

Q. You have stated in your examination-in-chief, in answer to a question by Mr. Haney, that you went to the polls, received your tickets, and voted them in pursuance of an arrangement with Hoagland and Chatham. Do you mean to say that this one and a half dollars which had been promised you was your reason and cause for voting what you were told was a Democratic ticket; in other words, did you sell your vote that day, or were you bribed that day to vote any particular ticket?

(Objected to because the witness is asked to swear to a conclusion of law from facts already in evidence embraced in the question. What the witness did do is relevant; what his intentions were, or what the effect of what he did do, is immaterial, and the witness not competent to swear to it.)

A. The dollar and a half I received was not my reason for voting what I was told was a Democratic ticket. I did not sell my vote that day, nor was I bribed to vote any particular ticket. George M. Hoagland is man of our party, true and honest, and we took his tickets.

Q. What party do you mean by "our party"?—A. By "our party" I mean the Democratic party.

Q. Then if you voted a Democratic ticket on November 5, 1878, although money was promised you, did you vote the same as you would have voted without any promise of money?—A. That I can't say; they would not allow me to open my ticket. If it was the Democratic ticket that I voted, then I would have voted the same ticket without any promise of money.

Q. You have stated that you did not sell your vote, and was not bribed to vote. Did you receive from either Hoagland or Chatham any more money than you had actually paid out of your own pocket to Abraham Simcox?—A. No, sir; I paid Simcox a dollar and I was paid but 90 cents. Chatham gave me a pint of whisky for my father, who was sick; it was 40 cents. Hoagland gave me 50 cents worth of chop.

Q. Then you did not receive a single cent or anything of value from

either Chatham or Hoagland for yourself for coming to the election and voting, did you?—A. No, sir.

Q. Where did you see Simcox and where did you pay him the money?—A. I saw him at my own house. I did not give him the money.

Q. What did you give Simcox?—A. He owed me ten dollars and I gave him credit with one, and reduced it to nine.

Q. When did you get this whisky from Chatham for your father and this chop from Hoagland?—A. I got the whisky from Chatham before the election a couple of days, and the chop from Hoagland the next day after the election.

Q. When did you give Simcox his receipt for \$1 upon the \$10 he owed you?—A. In the week before the election; about the middle of the week.

Q. Has Simcox that receipt, to the best of your knowledge?—A. I don't know; that is more than I can tell you; he is very careless.

Q. What kind of an account had you against Simcox for this \$10?—A. It was balance of a horse and spring-wagon; it was booked against him. I did not have a note.

Q. Have you the book here?—A. No, sir; I have not. I did not think it was necessary.

Q. Was Hoagland present at that conversation with Chatham in the road?—A. No, sir.

Q. How long after you saw Chatham in the road was it that you gave Simcox his receipt or credit on his \$10?—A. The same evening.

Q. What day in the week was it that you had this talk with Chatham, and how long before the election?—A. It was the Wednesday before the election.

Q. How long after that was it that you saw Chatham again?—A. Not until the day of the election.

Q. How, then, did you get the whisky from Chatham a couple of days before the election, as you have stated in one of your previous answers?—A. I am not exactly positive that it was Tuesday or Wednesday before the election; it was one of those days that I got the whisky from Chatham; it may have been the day I was talking with him, or the day before.

Q. Can you not remember whether you saw Chatham on any other time on Wednesday before the election than about 4 o'clock p. m., as you have testified?—A. No, sir. I did not see him that day until I had that conversation with him.

Q. Can you not remember whether or not you got the whisky from Chatham on that day (Wednesday)?—A. I don't remember. I was a good deal bothered when I got it, for father was not expected to live that day; he died a couple of days afterwards.

Q. State the date of your father's death.—A. That I can't do.

Q. State the day of the week your father died.—A. He died on Saturday evening.

Q. Where were Chatham and you when you got the whisky from him?—A. He took me in the house and gave it to me. I had sent in the night before for him to get it for me.

Q. Have you since that time talked to Chatham about paying him for the whisky; if so, when?—A. I talked with him on the day of the election about paying him for the whisky; he said I needn't mind paying for it, as it was already fixed.

Q. State what you did say to Chatham that called forth this answer.—A. Nothing, only I asked Chatham about paying for the whisky, how much it was; and he said never mind, that was already fixed; then I

started home, and I have not seen him but once since, and then I did not get speaking to him.

Q. From whom did you get the chop that you spoke of having received from George M. Hoagland?—A. I got it from George M. Hoagland in person.

Q. Was anything said about paying for it?—A. No, sir; he said that that would square us.

Q. Had you any conversation with Hoagland between the Wednesday you saw Chatham and the day on which you voted, in reference to voting?—A. Not until the day of the election.

Q. What conversation had you that day with him?—A. He asked me if I had paid Simcox. I told him I had, and he said I should come out and he would pay me.

Q. If the name of Andrew G. Curtin was upon your ticket for member of Congress, was it the name you intended to vote before you had this conversation with Chatham and Hoagland?—A. Yes, sir.

Q. In these talks about voting were the names of any candidates mentioned?—A. No, sir; none but Curtin's. I was referred to Curtin before any other. I was asked to vote for Curtin in particular.

Q. Is there any other William Lucas or William E. Lucas in Wayne Township beside yourself?—A. No, sir; there is not.

WM. E. LUCAS.

JACOB B. ANTIS, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Jacob B. Antis. I am 52 years of age. I live in Wayne Township, Clinton County, Pennsylvania. I am a watchman on railroad.

Q. Did you vote at the election held on November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and if so, for whom did you vote for such member?

(Objected to, because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted on that day in Wayne Township, Pennsylvania. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestee:

Q. The name of J. B. Antis appears on the poll-list of Wayne Township, and Jacob B. Antis on the registry list of said township; is there any other J. B. Antis or Jacob B. Antis, in Wayne Township, besides yourself?—A. No, sir.

Q. Are you a housekeeper?—A. Yes, sir.

Q. Where were you born, and how long did you live in Wayne Township immediately preceding November 5, 1878?—A. I was born in Lycoming County, Pennsylvania. I lived in Wayne Township about seventeen years immediately preceding November 5, 1878.

Q. Did you pay a State or county tax within two years immediately preceding November 5, 1878?

(Objected to, as not being proper cross-examination, as the witness has not been asked any questions as to the paying of taxes.)

A. I have, sir.

Direct examination resumed by H. T. HANEY, Esq., counsel for contestee:

Q. Did you personally pay State or county tax to John Simcox, the collector of State and county taxes for the year 1876, previous to the election of November 5, 1878?—A. I did; his duplicate will show it. I

never took a receipt from him. I never took a receipt for taxes in my life.

Recross-examination by T. C. HIPPLE, Esq., counsel for contestant:

Q. State whether or not at any time within two years immediately preceding November 5, 1878, you paid State or county taxes to Jacob Quiggle, collector of taxes for 1877.—A. I did not. I have never been asked to pay it.

JACOB B. ANTIS.

WILLIAM CONNELL, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William Connell. I am 53 years of age. I live in Wayne Township. I work on the railroad.

Q. When did you last pay State or county taxes, and to whom did you pay them? Give the month and the day of the month.—A. It was from the 5th to the 7th of October, 1876. I gave the money to pay the taxes to Shade Smith, one of our men; he was going down; he paid them to John Simcox. I did not pay them in person.

Q. Did you vote at the election held November 5, 1878, in the election district of Wayne Township? Did you vote for member of Congress, and if so, for whom did you vote?

(Objected to, because not shown that witness lacked any of the legal qualifications of a voter.)

A. I voted at the election held November 5, 1878, in Wayne Township. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Did you read your ticket?—A. Yes, sir.

Q. Did you know that you had not paid State or county taxes, so as to entitle you to vote?—A. No, sir; I did not know it had been so long since I paid taxes. I am the only William Connell or William O'Connell in Wayne Township.

WILLIAM CONNELL.

ABRAHAM SIMCOX, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Abraham Simcox. I am 35 years of age. I reside in Wayne Township, Clinton County, Pennsylvania. I am a laborer.

Q. Have you a receipt for the payment of your State and county taxes for the year 1877, signed by Crawford J. Quiggle, dated October 5, 1878?—A. I have; this is it.

“WAYNE TWP., Oct. 5th, 1878.

“Received of Abraham Sincox sixty-one cts., for State & Co. taxes for the year 1877.

“CRAWFORD QUIGGLE.”

I hereby certify that the above is a true copy of the receipt referred to above, and produced before me.

S. M. McCORMICK,
Notary Public.

Q. When and from whom did you receive this receipt?—A. I received this receipt on the day of the election from William E. Lucas, the person who was just on the witness stand.

Q. Do you know from whom he got it?—A. He told me he got it from George M. Hoagland. I did not see him get it.

Q. Did you vote at the election held November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; and, if so, did you vote for member of Congress; and, if so, for whom did you vote for such member?

(Objected to because witness not shown to lack any of the legal qualifications of a voter.)

A. I voted at last fall's election in Wayne Township. I don't know whether or not I voted for member of Congress. I did not open my ticket.

Q. Why did you not open your ticket?—A. They allowed that it was no use; that it was the ticket I wanted to vote anyhow.

Q. Who gave you the ticket?—A. George M. Hoagland.

Q. Was it Hoagland that allowed that you need not open your ticket?—A. Yes, sir.

Q. Did they tell you whether it was a Republican or a Democratic ticket?—A. No, sir; they did not. I did not ask them because I thought it would be of no use, for I voted the Democratic ticket anyhow.

Q. Is Hoagland a Democrat?—A. So they tell me.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. How long have you lived in Wayne Township?—A. Eight years last fall.

Q. Is there any other Abe or Abraham Simcox in Wayne Township except yourself?—A. No, sir; there is no other.

Q. If the name of Andrew G. Curtin was on your ticket for Congress, is he the person you wanted to vote for?—A. Yes.

his
ABRAHAM + SIMCOX.
mark.

Witness;

S. M. McCORMICK.

ROBERT T. QUIGGLE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation?—Answer. Robert T. Quiggle; I am 27 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a laborer.

Q. Did you not vote at the election held November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at that election in Wayne Township, in said county; I can't tell for whom I voted for member of Congress. I don't remember now for whom I voted.

Q. Did you not tell me (H. T. Haney) within fifteen minutes that you had voted for Curtin?

(The objection renewed that the witness is not shown to lack any of the legal qualifications of a voter, and cannot properly, and should not be asked to disclose the name of the party for whom he voted; and that it is in the nature of a cross-examination, or contradiction of their own witness.)

A. Yes, sir; I voted for Curtin.

Q. Then when you stated a moment ago that you did not remember for whom you had voted for Congress, did you mean to say you did not know you had voted for Curtin?—A. No, sir; I did not mean that. I

did not know for what office he was running for. I voted the straight Democratic ticket. That is the ticket I voted, and have always voted.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. Did you read your ticket?—A. I read it at the time I voted.

his
ROBERT T. + QUIGGLE.
mark.

Witness :

S. M. McCORMICK.

WASHINGTON S. McCLURE, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation?—Answer. Washington S. McClure; I am 32 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a carpenter.

Q. Have you a receipt for the payment of State and county taxes for the year 1877, signed by Crawford Quiggle, dated October 5, 1878?—A. I have the receipt, but I don't know about the date of it.

Q. When did you receive it and from whom?—A. I think I received it the day before the election from George M. Hoagland. I think it was George M. Hoagland who gave it to me.

Q. Did you vote at the election held on November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at the election held November 5, 1878, in Wayne Township election district. I voted for Andrew G. Curtin for member of Congress. There is no other W. S. or Washington McClure in Wayne than myself.

WASHINGTON S. McCLURE.

WILLIAM McCLURE, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation?—Answer. William McClure; I am going on 56 years of age; I live in Wayne Township, Clinton County, Pennsylvania, I am a carpenter.

Q. Have you paid State or county taxes within two years previous to the 5th of November, 1878?—A. I paid taxes last fall; I do not know what it was applied onto. I paid it to John Simcox.

Q. Did you vote at the election held November 5, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at that election in Wayne Township; I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. When did you pay that tax to Simcox?—A. I took no receipt for those taxes. I paid them in August or September, 1878.

WILLIAM McCLURE.

Adjourned to meet at 11 o'clock a. m. Friday, March 14, 1879.

Met at 11 o'clock a. m. Friday, March 14, 1879, pursuant to adjournment.

H. T. Haney, esq., appeared as counsel for contestee; T. C. Hipple, esq., appeared as counsel for contestant.

SAMUEL CABLE, being sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Samuel Cable; I am 36 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I work on the railroad.

Q. Have you paid State or county taxes at any time within two years previous to November 5, 1878; and, if so, how much and to whom did you pay this tax?—A. Yes, sir; I have paid tax within that time. I paid it to John Simcox. I can't say how much I paid him.

Q. Do you say under oath that you do not know how much or about the amount you paid John Simcox?—A. I don't know.

Q. Do you not know that you paid but thirty-five cents?—A. No, sir; I do not.

Q. Did you vote last fall at the November election in the election district of Wayne Township, Clinton County, Pennsylvania?—A. Yes, sir.

Q. Did you vote for Andrew G. Curtin for member of Congress?

(Objected to because the witness has not been shown to lack legal qualification as voter; that he cannot properly and should not be asked to disclose the name of the person for whom he voted. The question is improper, being direct and unusual in its form.)

A. Yes, sir.

Cross examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Did you read your ticket?—A. I did; and saw the name of Andrew G. Curtin upon it.

his
SAMUEL + CABLE.
mark.

Witness:

S. M. McCORMICK.

Adjourned to meet at 1.30 p. m.

Met at 1.30 p. m., pursuant to adjournment.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

GEORGE M. HOAGLAND, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. George M. Hoagland; I am 48 years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a miller.

Q. Did you at any time during the summer or fall, before or after the election of November 5, 1878, pay to Jacob Quiggle, collector of State and county taxes for Wayne Township, any money for the purpose of paying the taxes of Jacob B. Curtis, John W. Johnson, Washington McClure, Abraham Simcox, and Henry J. Snyder, or either of them?

(Objected to as irrelevant.)

A. I did. I paid taxes for all those persons mentioned to him.

Q. State upon what day of the month it was that you gave to Jacob Quiggle the money for the payment of the taxes of the persons above named?—A. On the 5th day of October, 1878.

Q. Did you not have receipts signed by Crawford Quiggle for the payment of State or county taxes for which, at the time you received said

receipts, you had not actually paid the money; or, if paid, did you not have an understanding or arrangement that if any of the parties for whose taxes you held the receipts could vote without using said receipts, that you could return the same?

(Objected to as irrelevant.)

A. I did not have receipts signed by Crawford Quiggle for the payment of State or county taxes for which I had not actually paid the money. I had no understanding that I could return the receipts if the parties could vote without using them.

Q. Did you return any receipts?—A. I did not return any of the receipts.

Q. Did you give tickets to Abraham Simcox and William E. Lucas to vote on the 5th day of November, A. D. 1878, at the election in Wayne Township?—A. I don't recollect.

Q. If they received tickets from you, did they have the name of Andrew G. Curtin or Seth H. Yocum on for member of Congress?

(Objected to because witness says he has no recollection of giving them tickets.)

A. I don't know that.

Q. Were you giving out tickets that day?

(Objected to as irrelevant.)

A. Yes; I gave out tickets.

Q. So far as you know or believe, which of the two names mentioned (Andrew G. Curtin or Seth H. Yocum) was on the tickets which you gave out to William E. Lucas or Abraham Simcox, if you gave them tickets?

(Objected to as irrelevant.)

A. I presume I gave them Andrew G. Curtin tickets, if I gave them tickets.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Have you a distinct recollection of seeing William E. Lucas or Abraham Simcox, or either of them, at the election of November 5, 1878?—A. Yes; I saw them both there.

Q. Did you prevent or interfere with either William E. Lucas or Abraham Simcox opening and examining the tickets they voted?

(Objected to as not being proper cross-examination, and the counsel for the contestee protests against any examination of this witness in reference to matters to which his attention has not been called, the evident purpose of the examination being to contradict William E. Lucas and Abraham Simcox by improper cross-examination of the witness upon the stand without assuming the responsibility of calling the witness.)

A. No, I did not.

Q. Did you authorize John H. Chatham, or any other person, to offer one dollar and a half each, or any money, to William E. Lucas and Abraham Simcox to come and vote November 5, 1878, as was testified to by William E. Lucas?

(Objected to for the same reason as to previous question.)

A. I did not authorize Chatham or anybody else to pay anything.

Q. William E. Lucas testified yesterday that he received 50 cents' worth of chop from you a couple of days after the election. Are you a miller? Did you furnish him chop a few days after the election; and, if so, how and why; and was it in consideration of his vote, as he seems to allege?

(Objected to for the same reasons above given.)

A. I am a miller; I furnished him chop a few days after the election. I do not know how long afterwards it was. I gave him some chop and

some flour, I think. We bought some wood from him to be delivered to Mr. Leese, the miller there. We gave him flour, I think, for it. He got flour and chop several times. It was not given him in consideration of his vote.

Q. William E. Lucas testified that he was not allowed to open his ticket; that he got his ticket from you and that you said he must not open his ticket. Is that true or false?

(Objected to for same as above.)

A. It is not true.

Q. How long have you lived in Wayne Township and done business there?

(Objected to as irrelevant.)

A. About ten years. I moved there about twelve years ago, but I was out about two years in that time.

GEORGE M. HOAGLAND.

Continued to Monday, the 17th day of March, 1879.

Monday, March 17, 1879, met in pursuance of adjournment at 10 o'clock a. m.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

WILLIAM M. QUIGGLE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—A. Answer. William M. Quiggle; I am 36 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a lumberman.

Q. Have you paid State or county taxes within two years preceding the election of November 5, 1878?—A. Unfortunately not.

Q. Did you vote at the election held November 5, 1878, in the election district for the township of Wayne, in the county of Clinton; if so, did you vote for member of Congress, and for whom did you vote?—A. I voted at that election in Wayne Township. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestee:

Q. Did you examine your ticket and see the name of Andrew G. Curtin upon it?—A. No, sir.

Q. Did any one read it aloud to you?—A. No, sir.

Q. Now, since you have stated that you did not examine your ticket, did not see the name of Andrew G. Curtin upon it for Congress, and that no one read it aloud to you, can you state, under oath, of your own knowledge as a fact, that you did vote for Andrew G. Curtin?

(Objected to because the witness has already sworn as a fact that he did vote for Andrew G. Curtin.)

A. Where I having perfect faith in the Democratic principles of the man who furnished me the ticket, I had not the least doubt that I voted for Andrew G. Curtin. I could not swear to that; I swear to the best of my knowledge only.

Q. If the person in whose principles you had such faith had placed the name of Seth H. Yocum upon that ticket for Congress, and had not informed you of Yocum's name being on it, but had left you under the impression that Curtin's name was on it, when it was not, could you, from any examination you made of the ticket, have detected the change?

—A. No, sir.

Direct examination:

Q. Who gave you your ticket?—A. Robert C. Quiggle.

WILLIAM M. QUIGGLE.

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, S. M. McCormick, a notary public in and for said State and county, before whom the depositions of the foregoing witnesses were taken, do certify that the said witnesses were duly qualified and examined at the times and places stated in the captions to these depositions and subscribed their depositions in my presence, and that the questions, objections, and answers, in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses.

And I do further certify that the erasures and interlineations made therein and particularly set forth on pages 259, 260, 261, 262, 263, 264, 265, 266, 267, and 268 were made by me on the lines and pages therein noted before the respective depositions to which they were made were signed by the witnesses.

Witness my hand and notarial seal this 17th day of April, 1879.

[SEAL.]

S. M. McCORMICK,
Notary Public.

Depositions of witnesses produced, sworn or affirmed, and examined before S. M. McCormick, a notary public, in and for the county of Clinton and State of Pennsylvania, resident in the city of Lock Haven, in said twentieth Congressional district, at his office on Water street, in said city, on Friday, March 14, 1879, at 8 o'clock a. m., and by adjournments from time hereinafter particularly noted, to wit, March 15, 18, and 25, A. D. 1879, by virtue and in pursuance of contestee's notice, marked F, S. M. McC., N. P., hereto attached.

Met at 9 o'clock Friday morning, March 14th, 1879, pursuant to contestee's notice, marked F, S. M. McCormick, notary public.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

C. H. McKEE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation?—Answer. Charles H. McKee; I am 24 years of age; Lock Haven, Clinton County, Pennsylvania; I am an attorney at law.

Q. State whether you are acquainted with or have ever seen Harriet McLain, the mother of Add. or Addison McLain.—A. I have seen her and have talked with her once.

Q. When and where did you meet her?—A. About two weeks ago, at her house in Mill Hall.

Q. What persons were present?—A. When I met her at her door James T. Brown sat in the sleigh about 20 or 30 feet distant. There was no one else present at that time.

Q. Please state all that occurred during your interview with her.

(Objected to because the evident purpose is to prove statements of Harriet McLain made in a casual conversation concerning the age of her son, Add. McLain, which statements if made and testified to here by the witness would not be the best evidence in the case, and would not be in contradiction of any testimony by Harriet McLain, who is the best witness on the point of her son's age, and who is living, was subpoenaed on behalf of contestee, and was present to be examined, but was dismissed without being examined; under all which circumstances the evidence is manifestly irrelevant and immaterial.

Counsel for contestee denies that Harriet McLain was dismissed with-

out being examined by himself or any one authorized to discharge witnesses; Harriet McLain was subpoenaed on part of contestee to be present on a day fixed, and of which notice was given to counsel for contestant. She did not appear on the day she was subpoenaed, and as attorney for contestee remembers, not until the second evening after she was subpoenaed to appear, the parties having dispersed and suspended the taking of testimony for that day. She was not then dismissed; the only thing said or done by counsel for contestee was to say to her son, Add. McLain, who came to his office between 4 and 5 o'clock when he was starting for his supper, that she should go to the gentleman's office who had issued the subpoena, Mr. S. M. McCormick, and he would tell her what to do.

Counsel for contestant requests commissioner to state whether the party, Mrs. McLain, appeared at his office, and what was said.

The commissioner replies that Mrs. Harriet McLain appeared at his office on March 6, 1879, between the hours of 4 and 5 o'clock p. m., and asked him what she should do. He does not remember the exact words in which he answered her, or her son, in her presence, but it was to the effect that she could go home, as she would not be examined that day.

A. When I met her I asked her if she was Mrs. Harriet McLain, and the mother of Add. McLain. She said she was. I told her that the object of my visit was to see her in reference to the age of Add. McLain, her son. I went with her into her house, and asked her if she had a family Bible in which there was a record of his age. She said that she did not, but that she had a paper that would show it. She then left the room and in a few minutes returned with this paper, which she handed me. She said that this paper contained his father's name and a record of his (Add. McLain's) birth, and that she had no other record than this of his age. I don't remember whether she asked me why I wanted the record, but I told her that the object was to learn whether or not Add. was old enough to vote at the last election. After mentioning that this was the purpose she grew angry and said that Abe Snyder was trying to make trouble about Add's having voted. I told her I would have to subpoena her as a witness to appear in Lock Haven and give her testimony in regard to Add's age. She said she would not come, and that nobody could bring her. I told her that I would have to subpoena her and request that she bring with her this paper containing a record of Add's age. I filled in a subpoena with her name with the request that she bring with her any records that might be in her possession in reference to Add's age. I read the subpoena to her. During the time I was reading it she again expressed herself in angry tones and said that she could not understand English. I handed her a copy of the subpoena I had read. She refused to take it. I offered her twenty (20) cents mileage in advance and she refused to take that. She said she would not come, and said if they came after her she would take to the mountains or set her big dog on them. When I read the subpoena to her containing the words, "To Harriet McLain, and that you bring with you your family Bible, containing the record of the age of Add. McLain, &c.," she said his name was not McLain; that his right name was Adam Sylvester Reninger; that his father's name was Samuel Reninger, the same name that appears in this "Taufschein." She stated that this boy was born before she was married. She said that his right name was Remiger, but they called him McLain. After her having stated in positive terms that she would not come in obedience to the subpoena I asked her if I could bring this "Taufschein" with me, and she at first denied me the privilege. James T. Brown and myself examined this "Taufschein" and

tried to read it. The printed and written parts are in German and we had difficulty in making out portions other than names and dates. It was remarked that this record did not show Add to have been old enough to have been entitled to vote on November, 1878. Mrs. McLain then said that the paper was not right as to the dates. She was still angry and said that Abe Snyder was making this trouble. I asked her what he knew about Add's age. She then explained that he knew Add's age by the age of one of his children; that he had a daughter born before Add, and that Abe said, by his daughter's age, that Add was not old enough to vote. I have not pretended to give the exact words that were used, but have given the substance of that interview to the best of my recollection. Mrs. McLain was not an intelligent woman, and spoke broken English, and it would be impossible for me to narrate the threat she made, and her expressions made in anger.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Have you not during this contest appeared and examined witnesses in behalf of the contestee and otherwise acted in his behalf?

(Objected to as irrelevant and immaterial.)

A. I have appeared and taken part in the examination of witnesses. I have otherwise acted in his behalf, too. I have not been employed by him directly. I have acted at the request of W. C. Kress, esq.

Q. Do you not know, and were you not informed, that on the day or about the day Harriet McLain was to appear as a witness that she was arrested and imprisoned in jail in Lock Haven, for a day or more, so that she was deprived of her liberty?

(Objected to as irrelevant.)

A. I can't say that I was so informed. I was told on the morning of the day that she was to appear that she was to be arrested during that day. I can't say of my own knowledge that she ever was arrested, or that I have been informed that she was placed in jail.

Q. Was it one of your objects in taking charge of the serving of that subpoena to see Mrs. McLain in person and ascertain what statements she would make on the point of her son's age; by object I mean were you so directed, or was that notion or thought in your mind?

(Objected to as irrelevant.)

A. My instructions were given to me hurriedly on the day on which Add. McLain was here called as a witness. My recollection is that H. T. Haney, esq., came to me and stated the portion of Add. McLain's testimony; that since the person who had been employed to serve subpoenas was that day out of town, and that he would like, if possible, for me to go to Mill Hall and subpoena W. W. Clark, the man whom Add. McLain had testified had given him the ticket which he had voted; also to subpoena Mr. McLain who was then supposed to be the father of Add. McLain, and requested me to bring his family record and to subpoena any of the neighbors who might be able to testify as to this boy's age. I cannot say positively whether it was contemplated that I should see Mrs. McLain; if it was I do not recollect it now.

Q. Did Mrs. McLain tell you when or where she got this paper, this record, as you call it?—A. She told me that she got a man to fill it in, and she said she got it a long time ago; that she had difficulty in fixing the date. A young lady who sat in the same room with her talked to her in my presence as to when this "Taufschein" was filled in. She (Mrs. McLain) spoke of its having been done before she lived at a certain place (I don't remember the name), and then counted how many years had elapsed since that time. There seemed to be an uncertainty about

the count, so I helped in figuring it up, and we commenced by counting how many years she lived at Mill Hall (my recollection of that is that it was between four and five years); then add to that the number of years she had lived at the last residence before coming to Mill Hall. I don't remember the name of the place that she lived or the number of years she had lived there. There were a number of places she had lived at before coming to Mill Hall. She was uncertain in some instances to the years and fractional parts that she had lived at some of these places, but we counted back such times as she was certain of until we reached a place that she was certain she lived at least thirteen years ago. She was positive that this was filled in before that time, but was uncertain how long before.

Q. Did the young lady of whom you spoke converse with Mrs. McLain in English or German?—A. Both; her English was broken and her German was broken, too, so that I understood a part of it. When she spoke of years I had no difficulty in understanding it.

Q. Did you make any effort to obtain the name of this young lady, or subpoena her, so that she might testify as to those conversations?—A. No, sir; owing to the fact that she did not speak English well, and did not seem intelligent, I did not think she would be a satisfactory witness.

Direct examination resumed by H. T. HANEY, Esq., counsel for contestee.

(Paper referred to by witness as a "Taufschein" shown witness and identified by him as the same paper about which James T. Brown, a former witness, testified.)

Q. Is this the paper?—A. It is. At the time I received it I put a mark upon it, and I now identify the mark as well as the paper. It is the same paper that Harriet McLain handed to James T. Brown and myself as a record of Add. McLain's age.

C. H. McKEE.

GEORGE BROSIUS, being duly affirmed, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. George Brosius; I am 46 years of age; I live in Crawford Township, Clinton County, Pennsylvania; I am a mechanic.

Q. Are you the collector of State and county taxes for the township of Crawford for the years 1876, 1877, and 1878?—A. I am for the years 1876 and 1877, and, by proxy, for 1878. Jacob Stall is the collector for 1878, and he is getting pretty old and infirm, and he got me to do the collecting for him.

Q. Does the name of Samuel Wentzell appear upon your duplicates for the years 1876, 1877, and 1878; and, if so, has his taxes been paid for either year?—A. It appears upon the duplicates of 1876 and 1877, and it does not appear on the duplicate of 1878. I have an extra assessment list at home which I forgot to bring along with me this morning. I know that his name appears on that list. His taxes has not been paid for any of the years mentioned.

Q. Are you acquainted with Alfred Chatham? Does his name appear on your duplicates for the years 1876, 1877, and 1878; and, if so, has his taxes been paid for either year?—A. I am acquainted with Alfred Chatham. His name appears on my duplicates for those years; but his taxes have not been paid for any of those years.

Q. Have you had a conversation with Samuel Wentzel since the election, in which he told you for whom he had voted for member of Congress; and, if so, for whom did he tell you he had voted?

(Objected to because it is not the best evidence of which the case is susceptible, and because Samuel Wentzel himself should be first examined as to his qualifications as a voter; because it is irrelevant.)

A. I had a conversation with him yesterday afternoon. He told me he had voted for Mr. Curtin for member of Congress.

Q. Have you had a conversation or conversations with Alfred Chatham since the election in which he told you, or in which you heard him say, for whom he had voted for member of Congress; and, if so, for whom did he say he had voted?

(Objected to for the reason that Alfred Chatham himself, if able to be subpoenaed, should be called upon the witness-stand and questioned upon this point. That the testimony sought to be adduced might be competent to contradict Chatham if under oath he denied that he had voted for Curtin, but without such denial or refusal to appear being shown, the question is irrelevant and improper.)

A. I have had no conversations with him since the election. I never heard him say for whom he had voted for member of Congress.

Q. Did you hear him say for whom he intended to vote?

(Objected to as irrelevant, no time being stated; no pretense of the intentions of the witness having been carried out, and no proof on the question raised in any possible manner.)

A. I heard him say that he intended to vote for Andrew G. Curtin.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Are you the person named by the commissioners of Clinton County as collector of State and county taxes for Crawford Township, Clinton County, for 1878?—A. No, sir.

Q. How did you become collector, or "proxy," as you termed it?—A. Mr. Stall requested me to do it for him, as he thought he could not do it himself on account of age and infirmity.

Q. When did the duplicate for 1878 come into Mr. Stall's hands?—A. I can't say exactly. My impression is that it was about September or October, 1878. I mean that at that time it came into my hands. I do not know when it came into his hands.

Q. Do you pretend to be able to state under oath, and of your own knowledge, as to who did or did not pay taxes to Mr. Stall?—A. No; I can't. There was nothing on the books to show payments by any one when they came into my hands. I could only judge from the books.

Q. Then if Mr. Stall had received taxes and had not marked the proper credits, would you know of such payments?—A. I would not know unless the parties whom I notified had told me that they had paid them; but no one told me that they had made any payments.

Q. If any payment had been made to Mr. Stall even while the duplicate was in your hands, and Mr. Stall failed to tell you of the payment, could you state, or know, that such payment had not been made?—A. I could not.

Q. Has Mr. Stall lived in Crawford Township since you undertook to collect for him?—A. Yes, sir.

Q. You have mentioned the duplicates for State and county tax for Crawford Township for 1876, 1877, and 1878, and have spoken of names appearing there. Have you those duplicates here?—A. Yes, sir.

Q. Do the names of George S. Sheadle and George W. Sheadle appear on your duplicate?

(Objected to as not proper cross-examination.)

A. Yes, there is a George S. Sheadle and a George W. Sheadle.

Q. Has either of them paid a State or county tax for the years 1876, 1877, 1878?

(Objected to as improper cross-examination ; and at this point, H. T. Haney, esq., counsel for contestee, protests against this irregular and unprofessional cross-examination of contestee's witnesses, and demands that the notary shall now decide whether or not such testimony shall be taken against the protest of contestee's attorney.

T. C. Hipple, counsel for contestant, states that the notary public cannot, under any pretense, or any known law, be considered a judicial officer ; that the committee of Congress will be the tribunal to decide whether cross-examination is proper or professional ; that if the notary public undertakes to rule any questions of law in this case or to control counsel in the examination of witnesses, or to pass upon the relevancy or irrelevancy of any evidence offered, he is requested to state in writing the grounds upon which he rules, and the grounds upon which he undertakes to pass upon the question belonging to a tribunal created by law to pass upon it.

The notary public, or commissioner, is of the opinion that as he is appointed merely to take the testimony of the witnesses, he is not to judge as to the relevancy or irrelevancy of matters appearing before him, and he therefore declines to do so.

H. T. Haney, esq., counsel for contestee, here notifies the notary public, and attorney for contestant, that he desires to and hereby does, withdraw the witness from the witness-stand, and so notifies the witness that so far as the attorney for the contestee is concerned, he is dismissed from further testifying, and is instructed that he need answer no more questions.

T. C. Hipple, counsel for contestant, asks counsel for contestee whether or not by the withdrawal of the witness he intends that the testimony given by the witness shall be expunged the same as if the witness had not testified. If the counsel for contestee states that he withdraws all the testimony given by this witness, counsel for contestant has no further cross-examination ; but unless counsel for contestee does so state in order that the notary public may know what disposition he may make of the testimony of this witness already written, counsel for contestant claims the right to continue his cross-examination, leaving the question of its relevancy or propriety to be judged by a proper tribunal.

(Counsel for contestee maintains silence.)

A. George S. Sheadle has not paid any, but George W. Sheadle has.

Q. Do the names of William L. Sheadle, Martin Thomas, and Peter Irwin appear upon the duplicates for 1876, 1877, and 1878 ?

(Objected to. Same objections, rulings, directions, &c., as to other question.)

A. William Sheadle's name does not appear on the duplicate of 1876. It appears on the duplicate for 1877. I do not think his name is on 1878. He did not pay State and county taxes for 1877. He was not in the county in 1876 and 1878 ; he was in Lycoming County. Martin Thomas's name is on all the duplicates, but there are no taxes paid for any of the years. Peter Irwin's name is on all the duplicates, but he has paid no taxes for any of the years.

Q. When did you have your conversation with A. C. Chatham about how he intended to vote ?—A. I think it was a day or two after the Greenback meeting in Crawford Township, when Mr. Yocum spoke. I do not know how long that was before the election.

Q. Can you state how long this was before the election ?—A. I cannot.

Q. Where did you have your conversation with Samuel Wenzel as to how he had voted?—A. At my house.

Q. Did either Peter Irwin, George S. Sheadle, Martin Thomas, or William L. Sheadle, tell you or say in your hearing before the election for whom they intended to vote for Member of Congress; or, since the election, for whom they had voted for Member of Congress?

(Objected to as irrelevant and immaterial.)

A. George S. Sheadle told me prior to the election that he intended to vote for Yocum, but not since the election. Peter Irwin told me prior to the election that he was going to vote for Yocum. Martin Thomas said before the election that he was going to vote for Curtin. I did not hear William L. Sheadle express himself in any way.

GEO. BROSIUS.

Continued to Saturday morning, March 15, 1879, at 9 o'clock.

Met on Saturday morning, March 15, 1879, at 9 o'clock, pursuant to adjournment.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

GEORGE W. BATCHELER recalled by H. T. HANEY, Esq., counsel for contestee.

Question. Have you here with you the election returns, including the poll list, oaths of officers, affidavits of electors, and duplicate election return sheets, so far as the same relates to the summary of the vote for Member of Congress, as contained in said election returns for the election held on the 5th day of November, 1878, for the following election districts: Renovo Borough, Chapman Township, Grugan Township, Noyes Township, Lock Haven, second ward; Lock Haven, fourth ward; Greene Township, Pine Creek Township, Wayne Township, Gallagher Township, Beech Creek Township, Logan Township, Logansville Borough, Crawford Township, and Castanea Township?—Answer. I have.

Q. Have you made copies of them?—A. I have made true and correct copies of the poll list, oaths of election officers, affidavits of voters, and triplicate return sheets, so far as relates to the returns for Member of Congress, for the election held November 5, 1878, so far as they were returned to my office for the following election districts in Clinton County: Renovo Borough, Chapman Township, Noyes Township, Beech Creek Township, Gallagher Township, Wayne Township, and fourth ward of the city of Lock Haven. I have made true and correct copies of the poll lists, oaths of election officers, and triplicate return sheets, so far as it relates to votes cast for Member of Congress, for the election held November 5, 1878, for the following election districts in Clinton County: Grugan Township, Castanea Township, Logan Township, Crawford Township, Greene Township, Pine Creek Township, second ward of the city of Lock Haven, and the borough of Logansville. I did not attach the oaths of electors in the last above-named townships and districts, because there were none returned to my office. The erasures, interlineations, blanks, &c., in the certified copies are the same as they appear in the original papers.

Exhibit No. 10 is a true copy of the papers, as above stated, of Renovo Borough.

Exhibit No. 11 is a true copy of the papers, as above stated, of Chapman Township.

Exhibit No. 12 is a true copy of the papers, as above stated, of Beech Creek Township.

Exhibit No. 13 is a true copy of papers, above stated, of Gallagher Township.

Exhibit No. 14 is a true copy of papers, above stated, of Wayne Township.

Exhibit No. 15 is a true copy of papers, above stated, of fourth ward of Lock Haven City.

Exhibit No. 16 is a true copy of papers, above stated, of Noyes Township.

Exhibit No. 17 is a true copy of papers, above stated, of Grugan Township.

Exhibit No. 18 is a true copy of papers, above stated, of Castanea Township.

Exhibit No. 19 is a true copy of papers, above stated, of Logan Township.

Exhibit No. 20 is a true copy of papers, above stated, of Crawford Township.

Exhibit No. 21 is a true copy of papers, above stated, of Greene Township.

Exhibit No. 22 is a true copy of papers, above stated, of Pine Creek Township.

Exhibit No. 23 is a true copy of papers, above stated, of second ward of Lock Haven City.

Exhibit No. 24 is a true copy of papers, above stated, of Logansville Borough.

H. T. Haney, esq., counsel for contestee, offers exhibits Nos. 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, in evidence.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Who made out these exhibits?—A. Oscar S. Houtz made almost all the exhibits; a Mr. Larkins made a few copies of the oaths of election officers. I am satisfied that they are true and correct copies as I have certified them to be.

G. W. BATCHELOR.

The election returns for Beech Creek Township are offered by H. T. Haney, esq., counsel for contestee, among other purposes, in connection with the sheriff's proclamation for the purpose of showing that the election was not held at the place designated in said proclamation, and was not in accordance with the laws of this commonwealth.

Continued to Tuesday, March 18, 1879.

Tuesday, March 18, 1879. Met pursuant to adjournment.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple and T. T. Abrams, esqs., appear as counsel for contestant.

DAVID HOLLER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. David Holler; I am 60 years of age; I live in Castanea Township, Clinton County, Pennsylvania; I am a brewer.

Q. Have you a wife and family?—A. Yes, sir.

Q. Where are your wife and children?—A. One of my children is here in Lock Haven, one boy is in Gallagher Township, Clinton County, Pennsylvania; I don't know of my wife and other child for a year, but then they were in Bellefonte, Centre County, Pennsylvania.

Q. Did you vote at the election held November 5, 1878, in the election district of Castanea Township, Clinton County, Pennsylvania?—A. Yes, sir.

Q. Who gave you your ticket?—A. Charles Fabel.

Q. Did he read it to you, and was the name of Andrew G. Curtin upon your ticket?

(Objected to because the witness has not been shown to lack any of the qualifications of a legal voter, and until the vote is shown to be illegal, a voter cannot properly and should not be compelled to disclose for whom he had voted.)

A. He read the ticket to me, and the name of Andrew G. Curtin was upon the ticket, and I voted for him.

Cross-examined by T. C. HIPPLE, Esq.:

Q. When did you go Castanea Township to live?—A. I went there in May, 1878.

Q. How long has it been since you and your wife lived together?—A. Two years and nine months.

Q. How long is it since you have heard of her and the child that was with her?—A. One year.

Q. At what have you worked in Castanea Township since you went there; with whom did you board and lodge, and where did you have your washing done?—A. I worked at brewing since I have been there; I boarded and lodged with Charles Fabel, for whom I worked; I had my washing done by Charles Fabel.

Q. When you went to Castanea Township in May, 1878, did you go with the intention of remaining there and of making that your home, and have you ever since remained there and considered that your home?—A. I went there at that time with the intention of making that my home; I have ever since remained there and considered it my home.

Q. The name David Holler appears on the registry-list of Castanea Township, and the name David Holland appears on the poll-list of the election of November 5, 1878 in that township; do you know of any other person in Castanea Township than yourself having either of the above names, and are you the person intended in both instances?—A. It is intended for me in both cases; no other person of that name is in the township except myself.

DAVID HOLLER.

Continued to March 25, 1879.

Tuesday, March 25, 1879. Met pursuant to continuance.

H. T. Haney, esq., appears for contestee; T. C. Hipple, esq., appears for contestant.

WILLIAM H. SMITH, being duly sworn, deposed as follows:

Question. You are the same William H. Smith who was called by the contestant, and who testified that you were clerk to the commissioners of Clinton County, are you?—Answer. Yes, sir.

Q. Have you here with you the original registry-lists, as the same are on file in the office of the commissioners of Clinton County, of the taxable citizens of the following townships, wards, and boroughs in said county for the year 1878, to wit: Danstable Township, Woodward Township, Chapman Township, Grugau Township, Noyes Township, Greene Township, Pine Creek Township, Wayne Township, Gallagher Township, Beech Creek Township, Logan Township, Crawford Township, Castanea Township, Renovo Borough, Logansville Borough, second ward of the city of Lock Haven, and fourth ward of the city of Lock Haven?—A. I have.

Q. Have you made true and correct copies of each of the said registry-lists, and have you attached to each of them a certificate, signed by

you as the clerk of the commissioners of Clinton County, certifying under the seal of said office that said lists are true and correct copies of said registry-lists?—A. I did not make these copies; I certified that they are true copies of those registry-lists.

Q. Did you carefully compare each of the said copies with the original, and did you find said copy to be a true and correct copy of the original before you attached your certificate and seal of the commissioners' office of Clinton County?—A. With the assistance of others, I compared the copies so as to satisfy myself that they are true copies of the originals.

Q. Have you authority from the commissioners of Clinton County to use the seal of the said county in connection with your signature and certificate as clerk to said commissioners in attestation of the correctness of the copies you have made?—A. I believe I have; they authorized me to make certificates of these copies, and I understood that I had authority to use the seal. I thought that was embraced in my directions, though I can't say that that was specified particularly.

Q. Are these the copies?—A. Yes, sir.

Exhibit No. 25 is a certified copy of the registry lists of Beech Creek Township, Pine Creek Township, Noyes Township, and Logansville Borough.

Exhibit No. 26 contains certified copies of the registry lists of Chapman Township, Crawford Township, Gallagher Township, and Greene Township.

Exhibit No. 27 contains certified copies of the registry lists of Castanea Township, Dunstable Township, Wayne Township, Woodward Township, and Grugan Township.

Exhibit No. 28 contains certified copies of the registry lists of the second ward of the city of Lock Haven and the fourth ward of the city of Lock Haven.

Exhibit No. 29 is a certified copy of the registry list of Logan Township.

Exhibit No. 30 is a certified copy of the registry list of Renovo Borough.

(H. T. Haney, counsel for contestee, offers Exhibits Nos. 25, 26, 27, 28, 29, and 30 in evidence.)

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Who made out these copies for you?—A. Mr. Oscar S. Houtz and Mr. Edward Larkins, both of this city.

Q. Did you make any of them yourself?—A. I did not; if the name was omitted, I wrote the name in.

Q. Please state how you compared them?—A. Mr. Houtz read the original and I looked over the copy, and then Mr. Dauer read the copy and I looked over the original.

Q. Did you make particular notes of all the marks and other designations in the books?—A. I tried to see that they were true copies.

Q. When did you make these certificates and attach them to these copies?—A. I made a part of them March 24, 1879, and some of them this morning (March 25, 1879).

Q. When did you first begin to compare these copies?—A. I can't tell exactly; I think as much as two weeks ago.

Q. Did you, when you came to certify these copies, make a fresh comparison of those you had compared about two weeks ago?—A. I did not; those that we compared about two weeks ago we compared a second time about last Thursday. The second comparison was commenced about last Thursday or Friday.

Q. Have you any personal knowledge as to the correctness of the contents of these books other than that they are the books you found in your office at the time you were called upon by the contestee to make certified copies of them; and is there any other record of them in the office except the books or lists themselves?—A. I have no personal knowledge as to the correctness of the contents of these books, other than they were in my office. There is no other record of them kept in our office except the books or lists themselves.

Q. By whom were the books made up and returned to the commissioners' office?—A. I suppose by the assessors of their respective districts. These books are given to the assessors in blank, and they are sent to the office or returned to the office by the assessors themselves, filled up.

Q. Are you able to name the assessors for the different districts who made up these books, and can you state the dates on which they were respectively returned?—A. I cannot name the dates at which these lists were respectively returned. I suppose I could name the assessors if I could take time to think them up.

Q. Then all you profess to know about these registry-lists or books of your personal knowledge is the fact that they are on file in the office of the commissioners of Clinton County; I mean your personal knowledge as to the correctness of their contents?—A. That is all. They are there just as the other registry-lists of the county are.

WM. H. SMITH.

STATE OF PENNSYLVANIA, *County of Clinton, ss:*

I, S. M. McCormick, a notary public in and for said county and State, in said twentieth Congressional district, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place stated in the above caption to these depositions and subscribed their names to their respective depositions in my presence, and that the questions, objections, and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses.

And I do further certify that the erasures and interlineations were made therein, and particularly set forth on pages 259, 260, 261, 262, 263, 264, 265, 266, 267, and 268, were made by me on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 17th day of April, A. D. 1879.

[SEAL.]

S. M. MCCORMICK,

Notary Public.

Depositions of witnesses produced, sworn or affirmed and examined before S. M. McCormick, a notary public in and for the county of Clinton and State of Pennsylvania, resident in the city of Lock Haven, in said twentieth Congressional district, at his office on Water street, in said city, on Monday the 17th day of March, A. D. 1879, at 8 o'clock a. m., and by adjournments from time to time, hereinafter particularly noted, to wit, the 17th, 18th, and 19th days of March, A. D. 1879, by virtue and in pursuance of contestee's notices, marked respectively G, H, and I, S. M. McC., N. P., hereto attached.

H. T. Haney, esq., appears as counsel for contestee. T. C. Hipple, esq., appears as counsel for contestant.

Monday, March 17, 1879. Testimony taken in pursuance of contestee's notice G, S. M. McCormick, N. P., hereto attached.

MICHAEL FETTERHOOF, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation.—A. Michael Fetterhoof; I am 40 years of age; I live in Logansville Borough, Clinton County, Pennsylvania; I am a shoemaker.

Q. Are you the collector of State and county taxes for the borough of Logansville, in Clinton County, for the years 1877 and 1878?—A. Yes, sir.

Q. Have you your duplicates here with you?—A. Yes, sir.

Q. Please refer to your duplicates and state whether or not the taxes of George A. Achenbach, D. M. Brumgard, James L. Cole, Edson Dow, William Goodman, J. J. Herlacher, Joseph Kleckner, Isway Carstetter, Jonathan Moyer, Peter Rishel, Isaac C. Smith have been paid.—A. George A. Achenbach gave me a borough order. I asked him for his borough tax, when he gave me a borough order. He had not the borough order with him then. I accepted it, however, and the balance was to be applied on his other taxes.

Q. Did you ever receive the borough order?—A. Yes, sir; he gave it to me some time afterwards.

Q. When did he give you the borough order?—A. To the best of my knowledge it was in August, 1878.

Q. How much was it?—A. Two dollars.

Q. How much were his borough taxes?—A. His borough tax was 15 cents.

Q. How much of the borough order were you to apply to the taxes of Cathain Achenbach?—A. Seventy-two cents I think.

Q. Was the balance of the borough order that you speak of to be applied to the payment of Cathain Achenbach's county tax, or to George A. Achenbach's, or was there anything said at the time how you should apply it?—A. To my recollection he said I should apply it to his other taxes.

Q. You have made no application of the balance, have you?—A. I applied the balance of the order on his road tax.

Q. Has D. M. Brumgard paid his taxes for either year?—A. No, sir.

Q. Has James L. Cole paid his taxes?—A. He has paid \$3.33 on a tax of \$4.44. That was paid the last of August, 1878.

Q. Has Edson Dow paid his taxes?—A. No, sir.

Q. Has William Goodman paid his taxes?—A. No, sir.

Q. Has J. J. Herlacher paid his taxes?—A. He has paid his tax for 1877. He paid it in 1877.

Q. Has Joseph Kleckner paid his taxes?—A. No, sir. He paid five dollars on the taxes of John Kleckner, or tenant.

Q. Has Isway Carstetter paid his taxes?—A. No, sir; he has not.

Q. Has Jonathan Moyer paid his taxes?—A. No, sir.

Q. Has Peter Rishel paid his taxes?—A. He has paid \$3 on a tax of \$3.17. He has paid his taxes in full. The \$3 he paid a good while ago—in the spring of 1878, I think—and the balance of 17 cents he has paid since the election, a couple of months ago.

Q. Has Isaac C. Smith's taxes been paid?—A. Yes, sir.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. You have stated that at one time, early in 1878, you called upon George A. Achenbach for his borough tax (15 cents); that he told you he had a borough order of \$2, out of which he would pay the borough tax and apply the balance on his other taxes; that you accepted the order and got it afterwards, in August, 1878. When was it that you had this first conversation with Achenbach?—A. It was early in May, 1878.

Q. State what George A. Achenbach's State and county tax was for 1877; also what it was for 1878.—A. His county tax was 75 cents for 1877; no State tax. For 1878 his county was 60 cents, and no State tax.

Q. Have you the road duplicate here for 1877 for the borough of Logansville?—A. Yes, sir. The road duplicate for 1878 came into my hands after this transaction with Achenbach.

Q. Examine your road duplicate for 1877, and state the amount of George A. Achenbach's road-tax for that year.—A. Forty-five cents.

Q. Does that stand marked as paid or unpaid on your duplicate?—A. It stands unpaid.

Q. Did you, then, in your examination-in-chief intend to state that you had taken the balance of that borough order and applied it to George A. Achenbach's road-tax?—A. On the road-tax of that property and his road-tax—I mean that property where he lives, assessed in Catharine Achenbach's name.

Q. Opposite whose name in your road duplicate is there marked a credit of the balance of the borough order?—A. It is marked opposite the name of Catharine Achenbach. The amount of the balance is \$1.13. Her whole road-tax was \$2.16.

Q. Please examine your State and county duplicates for 1877 and 1878, and state whether or not the following names appear therein; and, if so, whether their taxes are paid in whole or in part for the said years, viz: Jesse M. Adams, James F. Berry, Wade Banum, John A. Heller, Henry Wirth, Samuel Wolfert, George B. Yeager, Jonathan Benersox, John Berry, F. G. Berry, C. W. Couser, William Decker, Jeremiah Fidler, John Heller, sr., Emanuel Heller, Robert Carstetter, Henry Wren, John E. Weise.

(Same objection as to the testimony of John Simcox, tax-collector of Wayne Township, Clinton County.)

A. Jesse M. Adams's name appears on both duplicates; taxes not paid on either duplicate. James F. Berry's name appears on both duplicates. His county tax is \$11.17 on duplicate of 1877, and his State tax for the same time is 10 cents. He has paid \$5.50; he has paid it since November 5, 1878. His taxes for 1878 are not paid. Wade Banum's name appears on my duplicates. His taxes are not paid for either 1877 or 1878. John A. Heller's name appears on my duplicate. His taxes are not paid in either year. Henry Wirth's name appears on my duplicates. His taxes in 1877 were: county, \$4.70; and State, 20 cents. On that he has paid \$3. He paid that two or three weeks ago. His taxes for 1878 are not paid. Samuel Wolfert's name appears on my duplicates. His taxes for 1877 were paid since the election of November 5, 1878. His taxes for 1878 are not paid. George B. Yeager's name appears on my duplicates. His taxes for 1877 and 1878 have not been paid. Jonathan Bower's county tax for 1877 was \$2.95. He has paid \$1.91. He paid 41 cents of this before the election and \$1.50 since the election. His tax for 1878 has not been paid. John Berry's tax has not been paid for either year. F. G. Berry's tax has not been paid for either year. Charles W. Couser's county tax for 1877 was \$2.70, and his State tax was 75 cents. He paid 75 cents, to the best of my knowledge, after the election. His taxes for 1878 have not been paid. William Decker's taxes for either year have not been paid. Jeremiah Fidler's taxes for either year have not been paid. John Heller, sr., county tax for 1877 is \$4.05, and State tax 10 cents. He has paid \$2.90. He paid this amount in September, 1877, some time, I think. He has paid nothing in 1878. Emanuel Heller's county taxes in 1877 are \$5.15, and he paid

on that \$2; no State tax. He paid that since the election of November 5, 1878. His taxes for 1878 have not been paid. Robert Carstetter's taxes for either year have not been paid. John E. Wise's county tax for 1877 is \$3.58, and no State tax. He paid on that \$3.37. To the best of my knowledge, he paid that before October 5, 1878. His taxes for 1878 have not been paid.

Q. You stated that Joseph Kleckner had paid you \$5; state when that payment was made.—A. I think it was some time in August, 1878; and this I applied on the Logan House tax, of which house Joseph Kleckner was a tenant.

Q. Did Joseph Kleckner have at that time an individual tax, State or county, assessed against him in your duplicate of 1877? If so, give the amount.—A. He had a county tax of \$2.85. He had a county tax in 1878 of \$2.16.

Q. Where did you receive this \$5 from Joseph Kleckner?—A. In the Logan House, in Logansville Borough. I don't think I gave him a receipt. John and Joseph Kleckner, after this payment, both told me that Joseph Kleckner was responsible for the payment of this tax.

Direct examination resumed by H. T. HANEY, Esq.:

Q. Did he pay you this tax to apply on the property to which you applied the tax?—A. I don't remember whether there was anything mentioned.

Q. Is David Ludwig's name on your duplicate?—A. Yes, sir; his name appears on 1877 duplicate, but not on 1878.

Q. Have his taxes been paid on either of your duplicates?—A. His taxes for 1877 have not been paid, and he is not on my duplicate for 1878. His tax was a county tax of 50 cents; there was no State tax.

Q. If this conversation with John and Joseph Kleckner was after the tax was paid, how did you come to call upon Joseph Kleckner for it, or credit it to the tax of John Kleckner or tenant?—A. John Kleckner or tenant is assessed with it, and on that ground I credited the tax to John Kleckner.

Recross-examined by T. C. HIPPLE, Esq.:

Q. State whether or not David Ludwig worked for you in 1878, cutting corn, or some other farm labor. If so, how long?—A. He worked for me one day in 1878.

Q. What were you to pay him for that day's labor?—A. There was no bargain made for it.

Q. State what the ruling price was then.—A. As near as I can tell, it was 50 cents a day.

Q. State what David Ludwig's State and county tax was for 1877.—A. His county tax was 50 cents; no State tax.

Q. Have you ever paid Ludwig?—A. Not yet.

Q. Shortly after this work was done, did David Ludwig tell you to square his county taxes with that day's wages; did you agree to do so, and did you afterwards, since the election, tell him that it had been fixed according to that arrangement?—A. I don't remember that he told me to square his county taxes; I can't remember, but to the best of my knowledge I did lately. He spoke to me the other evening about it, since he was subpoenaed, and I told him I would.

Q. Are you able to say that you did not, shortly after this work was done, at his request, agree to pay his county taxes with these wages?—A. Not that I remember of. I can't say that I did not, but I don't remember that I did.

Q. Where did Joseph and John Kleckner say to you that Joseph

Kleckner was responsible for the tax of the Logan House? Were they together, and did they say it was by contract, or that Joseph, being the tenant, could be made to pay taxes?—A. John Kleckner told me on the street, opposite Cole's Hotel. Joseph was not there. They had an article of agreement to that effect.

Q. Where did Joseph tell you, then?—A. Joseph told me that he was responsible for it. On the strength of that I applied this money to those taxes.

MICHAEL FETTERHOOF.

Continued to Tuesday, March 18, 1879.

Tuesday, met pursuant to adjournment.

H. T. Haney, esq., appears for contestee; T. C. Hipple, esq., and T. T. Abrams, esq., appear for contestant.

HENRY KARSTETTER, being duly sworn, deposes as follows:

Question. What is your name, age, residence, and occupation?—Answer. Henry Karstetter. I am thirty-two years of age. I live in Logansville Borough, Clinton County, Pennsylvania. I am a blacksmith.

Q. Have you paid State and county taxes within two years previous to November 5, 1878; if so, when did you pay it, how much did you pay, and to whom?—A. I don't remember that I have paid State tax. I paid the county tax for 1876 since the election of November 5, 1878. I paid it to D. M. Morris, collector of county taxes of Logansville Borough, in place of Robert Kleckner, who was collector of said taxes for said borough, and who is now deceased. I paid Mr. Morris \$3.70.

Q. Have you paid State or county tax within two years previous to November 5, 1878; and, if so, to whom did you pay it?—A. I have. I have paid \$2 on the 1877 tax to Michael Fetterhoof. I cannot tell the exact date, but I think it was in 1878. It must have been five or six months before the election. I cannot tell exactly, as I did not get a receipt. My county tax for that year was \$3.45. I do not know of paying any State tax.

Q. Did you pay any other State and county tax within that time?—A. No, sir.

Q. Did you vote at the election held November 5, 1878, in the election district of Logansville Borough, Clinton County, Pennsylvania; if so, did you vote for member of Congress, and, if so, for whom did you vote?—A. I voted at that election in Logansville Borough. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. T. ABRAMS, Esq.:

Q. You paid then \$2 out of \$3.75 county tax, some five or six months before November 5, 1878, did you?—A. Yes, sir.

HENRY KARSTETTER.

JOHN GASTING, being duly sworn, deposes as follows:

Question. State your name, age, residence and occupation?—Answer. John Gasting; I am 49 years of age; I live in Logansville Borough, Clinton County, Pennsylvania; I am a potter.

Q. Have you paid State or county taxes at any time previous to the election of November 5, 1878, and within two years. If so, to whom did you pay it, and how much?—A. I paid \$2 on the tax of 1877, to Michael Fetterhoof, last spring, 1878. I had a State tax; I cannot say how much.

My county tax and State tax was \$4. I have a receipt, but I left it at home.

Q. Have you paid any other county or State tax within two years previous to November 5, 1878?—A. Yes, sir; I paid some tax to Robert Kleckuer; I paid all my 1876 and 1877 taxes, and last spring I paid two dollars on my 1878 tax.

JOHN GASTING.

GEORGE A. ACHENBACH, being duly sworn, deposes as follows:

Question. State your name, age, residence and occupation?—Answer. George A. Achenbach; I am 64 years of age; I live in Logansville Borough, Clinton County, Pennsylvania; I am an insurance agent.

Q. Have you paid State or county taxes within two years previous to November 5, 1878; if so, to whom did you pay it, and when and how much?—A. I have paid State and county taxes within that time to Michael Fetterhoof. My county tax of 1877 and 1878 were \$1.35.

Q. How did you pay Michael Fetterhoof the \$1.35?—A. In the spring of 1878, Michael Fetterhoof was collector of borough tax. He met me in Isaac Smith's store, along with others, and asked myself and the others for our borough tax. It was a money borough tax. After telling us what our taxes were, he told me my borough tax was fifteen cents. I then told him that I had a borough order for \$2, and if he would give me the balance I would pay my borough tax. He said he had not collected money enough yet to do that, as he had just started out. I told him that I would give him the order, and he should apply it on my other taxes, he having the county duplicates of 1877 and 1878.

Q. Do you not know that Michael Fetterhoof did not have the collection of the county and State taxes for the year 1878, in the spring of that year when you say you asked him to take that order?—A. I knew he was collector of 1878.

Q. Then you say that in the spring of 1878, at the time you say you had this conversation, Michael Fetterhoof was the collector of county taxes for the borough of Logansville, for the year 1878?

(Objected to as irrelevant; it appearing in evidence from Michael Fetterhoof's own testimony that he was collector for 1877, and that he became the collector for 1878 as soon as the duplicates were made out; it being immaterial whether the duplicates came into his hands at that time or not.)

A. I am not so clear on that as to whether he had the duplicate of 1878 at that time or not.

Q. Who is Catharine Achenbach?—A. My wife.

Q. Are you not in the habit of paying the taxes assessed on her property?—A. Yes, I do her business for her.

Q. At the time that you told Fetterhoof you would give him the order for two dollars, or at the time you did give it to him, did you specially say to him, that the \$2 order was to apply on George A. Achenbach's county taxes, or did you give it to him with the general instruction that it was to apply on taxes?—A. I told him it was to apply on my taxes.

Q. If at the time you gave him this order you owed him but fifteen cents borough taxes, and 60 or 75 cents county tax, how could he apply the whole of the two-dollar order on George A. Achenbach's tax.

(Objected to as irrelevant. Michael Fetterhoof, himself, the collector, being yesterday on the witness-stand stated the items of George A. Achenbach's taxes, being a road tax of 45 cents in addition to his county taxes, and there being nothing in all that has been testified to in refer-

ence to the transaction inconsistent with the returning to Achenbach of the balance of the order, if any remain.

Counsel for contestee requests the notary to note that the objection above made is not in accordance with the facts as testified by Michael Fetterhoof; he having testified that he had received said order to apply on the local or road taxes of Logansville Borough, and that he had applied the same in accordance therewith to the road and borough tax of George A. Achenbach, and the balance to the tax of Catharine Achenbach, wife of George A. Achenbach.

Counsel for contestant requests the notary public to turn to the testimony of Michael Fetterhoof, and to note whether the testimony of Michael Fetterhoof is as alleged by the counsel for the contestee in his above request.

The notary public replies that the following words were used by Michael Fetterhoof in reply to a question by counsel for contestee: "George A. Achenbach, gave me a borough order. I asked him for his borough taxes when he gave me a borough order. I accepted it, however, and the balance was to be applied to his other taxes."

A. He might apply it on all my taxes, and if it overpaid my taxes, let him return me the balance; that was my idea of it.

Q. Do you say that he had no right to apply any portion of that order to the taxes of Catharine Achenbach?—A. No, he had not; for he had no orders to that effect.

Q. Did it ever occur to you, until you were subpoenaed in this case, that your county taxes to Michael Fetterhoof had been paid by an order on the borough of Logansville, given to him at a time when you and Catharine Achenbach, whose taxes you paid, were owing more local taxes than would consume the two dollar order, and did you ever until you were subpoenaed in this case inquire of Michael Fetterhoof what application he had made of the two dollar order?—A. It was my idea that it would apply on my two taxes—county tax of 1877 and 1878—as they were the two highest taxes against me. I never inquired of Michael Fetterhoof what application he had made of this two dollar order until after I was subpoenaed in this case.

Q. Did you vote at the election held November 5, 1878, in the election district of Logansville Borough, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to, because the witness has not been shown to lack any of the qualifications of a legal voter.)

A. I voted at that election in that election district. I voted for Andrew G. Curtin for member of Congress.

GEO. A. ACHENBACH.

Met on Monday morning, March 17, 1879, at 11 o'clock a. m., in pursuance of contestee's notice marked "H. S. M. McCormick, notary public," hereto attached.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

JOHN C. MCKAGUE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John C. McKague; I live in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you the collector for State and county taxes for Wayne Township, Clinton County, for the year 1878?—A. Yes, sir; by the consent

of my father. My father was appointed collector by the commissioners of Clinton County, but he could not attend to it, and he appointed me to attend to it for him.

Q. Have you the duplicate containing the names of the taxable citizens of Wayne Township, with the amount of State and county taxes assessed against each of them here with you?—A. Yes, sir.

Q. Please refer to your duplicate and state whether William Connell has paid his taxes?—A. No, sir.

Q. Has Samuel Cable paid his taxes?—A. He is on my duplicate, but has not paid his taxes.

Q. Has John G. Davis, jr., paid his taxes?—A. His taxes are not paid.

Q. Has William McClure paid his taxes?—A. No, sir; his taxes are not paid.

Q. Has William M. Quiggle paid his taxes?—A. No, sir.

Q. Has Richard H. Quiggle, jr., paid his taxes?—A. No, sir.

Q. Has Robert T. Quiggle paid his taxes?—A. No, sir.

Q. Has Thomas G. Simcox paid his taxes?—A. No, sir; he has not paid them.

Q. Has Jacob B. Antis paid his taxes?—A. No, sir; that is not paid.

Q. Has John W. Johnson paid his taxes?—A. No, sir; that is not paid.

Q. Has Washington McClure paid his taxes?—A. No, sir.

Q. Has Abraham Simcox paid his taxes?—A. No, sir.

Q. Has Henry J. Snyder paid his taxes?—A. No, sir.

Q. Has Peter Miller paid his taxes?—A. No, sir.

Q. Has Joseph McKeague paid his taxes?—A. No, sir.

Q. Has Cornelius McKeague paid his taxes?—A. No, sir.

Q. Does the name of William E. Lucas appear upon your duplicate? Has his taxes been paid, when, and by whom?—A. It does appear upon my duplicate. His taxes have been paid. They were paid by John Herr on the 4th or 5th of October, 1878.

Q. Does the name Victor D. Fabinger appear upon your duplicate? Has his taxes been paid; if so, when?—A. The name of Victor Fabinger appears upon my duplicate. His taxes have been paid. They were paid within thirty or thirty-five days ago; they were paid to my brother. I was not present when they were paid.

Cross-examined by counsel for contestant:

Q. When was your father appointed tax collector?—A. In 1878. It was in June, I think.

Q. How long after he got the duplicate was it that you were appointed by your father to collect the taxes?—A. About a month afterward.

Q. If your father had received taxes from any party during that month that the duplicate was in his hands, or since then, and had not informed you of the payment, or had not marked the credit in the duplicate, would you be able to tell or swear that such taxes had not been paid?—A. No, sir; I couldn't swear to that.

Q. Examine your duplicate and state if the names of Thomas Cupp, sr., John Cable, William Chatham, John Q. Deiss, James Pipes, George Ritter, Joseph Simcox, Thomas K. Shortlidge, Benjamin F. Toner, Robert H. Williams, John Hoyt, Nelson Clendennin, James Q. Dice, Joseph R. Fredericks, and Jacob Stamm, appear upon your duplicate. If so, are their taxes paid, either in whole or in part; were any of them paid by third parties? If so, state by whom.

(H. T. Haney, esq., counsel for contestee, objects for same reasons

assigned to the cross-examination of George Brains, collector of taxes for the township of Crawford; and further, that it is immaterial in this stage of the contestant's case who had paid taxes and who had not, of electors who had voted for Seth H. Yocum, as the contestant cannot introduce any such testimony, either on cross-examination or in rebuttal; the evident purpose of this cross-examination being to pave the way for the introduction of testimony in rebuttal which can only be legally introduced as the part of the contestant's case in chief.)

A. The name of Thomas Cupp, sr., appears on my duplicate, and his taxes are not paid. John Cable's name appears, but his taxes are paid; can't tell whether they were paid by himself or a Mr. Miller. I can't remember whether it was paid before the election or after the election. Wm. Chatham's name appears on duplicate; his taxes are not paid. John Q. Deiss appears on my duplicate; his taxes are not paid. James Pipe's name appears; his taxes not paid. George Ritter's name appears; his taxes are not paid. Joseph Simcox's name appears; his taxes are not paid. Thomas K. Shortlidge's name appears; his taxes are not paid. Benjamin Toner's name appears; his taxes are not paid. Robert H. Williams's name appears; his taxes are not paid. John Hoyt's name appears; his taxes are not paid. Nelson Clendennin's name appears on the extra assessment; but his taxes are not paid. James M. Dice's name appears on the extra assessment, but it should be and is intended for James Q. Dice; his taxes were paid only a few days since. Joseph R. Fredericks's name appears; but his taxes are not paid. Jacob Stamm's name appears; his taxes are not paid.

Q. Do you know anything more about the payment of Victor Fabinger's taxes than what your brother Robert N. McKague told you?—A. No, sir.

JOHN C. McKAGE.

JOHN SIMCOX, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John Simcox; I am 57 years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you the collector of State and county taxes for the township of Wayne, in the county of Clinton, for the year 1876?—A. Yes, sir.

Q. Have you here with you the duplicate containing the names of the taxable citizens of Wayne Township and the amount of the taxes assessed against each?—A. Yes, sir.

Q. Please refer to your duplicate and state if the taxes of Samuel Cable have been paid, or any part thereof, how much his taxes are, and how much has been paid.—A. His taxes were 65 cents and he paid 35 cents.

Q. Have the taxes of John G. Davis, jr., been paid?—A. No, sir; he was marked "exonerated" on my book; he was exonerated on the 19th day of December, 1878; since the election.

Q. Have the taxes of William McClure been paid; and, if so, when were they paid?—A. His county tax \$2.37 and 50 cents State tax; he paid 50 cents State tax; he paid it on October 7, 1876.

Q. Have the taxes of Wm. M. Quiggle been paid; and, if so, when were they paid?—A. They have not been paid.

Q. Have the taxes of Richard H. Quiggle, jr., been paid; and, if so, when were they paid?—A. Yes, sir; they were paid on October 7, 1876.

Q. Have Robert T. Quiggle's taxes been paid; if so, when?—A. They were paid October 7, 1876.

Q. Have Victor Fabinger's taxes been paid; if so, when?—A. They were paid October 5, 1876.

Q. Have the taxes of Thomas G. Simcox been paid; if so, when were they paid?—A. They were paid some four or six weeks ago, I can't tell exactly which; it was since there was snow on the ground this winter.

Q. Have the taxes of Peter Miller been paid; and, if so, when were they paid?—A. The whole tax against him is \$6.60; the amount he has paid on them is \$1.01; it was paid in the fore part of summer of 1878; I can't say exactly when.

Q. Have the taxes of Joseph McKague been paid?—A. He has paid the amount \$14.29 since the election of November 5, 1878.

Q. Have the taxes of Cornelius McKague been paid?—A. Yes, sir; they were paid in fore part of summer of 1877 or 1878; they were paid before the election of November 5, 1878.

Cross-examined by counsel for contestant:

Q. Please refer to your duplicate and state whether or not there appear therein the names of Thomas Cupps, sr., John Cable, William Chatham, John Q. Dice, James Pipes, George Ritter, Joseph Simcox, Thomas Shortlidge, Benjamin F. Toner, Robert H. Williams, John Hoyt, Nelson Clendennin, James Q. Dice, Joseph R. Fredericks, and Jacob Slatter appear upon your duplicate; if so, are their taxes paid, either in whole or in part? Were any of them paid by third parties? If so, state by whom.

(H. T. Haney, esq., counsel for contestee, objects for the same reasons assigned to the cross-examination of John C. McKague, and because contestant in his notice of contest containing charges and specifications gave no notice of his purpose to contest the election held for the election district of Wayne Township either on account of fraud, irregularity, or for any other cause, said charges and specifications being silent as to the election held in Wayne Township.)

A. Thomas Cupp's, sr., name appears; his taxes were paid October 7, 1876. John Cable's name appears; his taxes were paid October 7, 1876. Wm. Chatham's name appears; his taxes amount to \$4.60; there was 50 cents paid by Joseph R. Fredericks before October 5, 1876, for him. John Q. Dice's name appears; his taxes was paid December 19, 1878. James Pipe's name appears; his taxes paid by Jos. R. Fredericks October 4, 1878. George Ritter's name appears; his taxes were paid October 7, 1876. Joseph Simcox's name appears; his county tax is 73 cents, and J. R. Fredericks paid on October 4, 1878, 25 cents for him; there is no State tax assessed against him. Thomas K. Shortlidge appears; his taxes are not paid. Benjamin F. Toner's name appears; his taxes paid October 7, 1876. Robert H. Williams's name appears; his tax is \$3.50, paid October 19, 1878. John Hoyt's name appears; his taxes paid by Jos. R. Fredericks October 4, 1878. Nelson Clendennin's name does not appear in my duplicate. James Q. Dice's name appears; his tax was paid October 2, 1876. Joseph R. Fredericks's name appears; his county tax is \$8.71, State 40 cents; he paid \$5.83, I think; this was paid in time for him to get a vote at the election of November 5, 1878. Jacob Stamm's name appears; his county tax was \$24.78, no State tax; he paid at one time \$5.40 and \$17 at another time; I can't say when it was paid; some of it was paid before last fall.

JOHN SIMCOX.

JACOB QUIGGLE, being duly sworn, deposes as follows:

Question. State your name age, residence, and occupation.—Answer. Jacob Quiggle; I am about 57 years of age; I reside in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you the collector of State and county taxes for Wayne Township, Clinton County, Pennsylvania, for the year 1877?—A. Yes, sir; I was appointed. My son Crawford J. Quiggle has done all the collecting, or almost all of it.

Q. As the collector of State and county taxes for Wayne Township, did you receive any money from George M. Hoagland for the purpose of paying State and county taxes on your duplicates?—A. Yes, sir.

Q. What month and what day of the month was it that you actually received the money from him?—A. I am not prepared to tell you more than that it was in time to secure these votes in 1878; I cannot say any more, for I cannot recollect the time.

Q. How much money did you receive from him, and for the payment of whose taxes was it given you?—A. I can't say how much, but it was the amount due to receive these receipts that my son gave him.

Q. What receipts did your son give him?—A. I am not prepared to say what receipts he gave him.

Q. Have you no idea of the amount of money you actually received, or for the payment of whose taxes it was given you?—A. It seems to me it might have been three, four, or five dollars. It was wrapped up in a paper.

Q. Did you count it?—A. No, sir.

Q. Did you open the package?—A. No, sir.

Q. How do you know there was three, four, or five dollars in it?—A. I judged from the pile; there was some silver and a bill or two in it, I guess.

Q. How do you know there was a bill or two in it if it was wrapped up in a paper?—A. There did not appear to be silver enough to make that amount of money.

Q. To make what amount of money?—A. From three to five dollars, I believe I said.

Q. Then you speak of what Hoagland told you as to the amount of money that was in the paper, do you?—A. No, sir; he said the amount of money that was required was there. I do not know what amount was required.

Q. Then if you did not open the package, and do not speak from what Hoagland told you as to the amount, how can you tell anything about the amount of money you received?

(Objected to, because the witness has stated that Hoagland and his son, Crawford J. Quiggle, had calculated the amount of taxes to be paid and that he took no part in that, and simply received the money that was handed to him, and did not at the time count it or examine it.)

A. Through my son it was; through what he said.

Q. Do I understand you to say that your son told you how much it would require to pay the taxes of certain persons whose names he mentioned, and that Hoagland handed you the money after your son had told you the amount required?—A. My son told me that Hoagland was to pay taxes, and I received it. I suppose it to be from three to six dollars. It may have been more or it may have been less. Hoagland did not state the amount; he simply said that there was the amount and that I should give it to my son.

Q. Did you hand the money to your son?—A. No, sir; I do not think I did. I just put it in the duplicate and laid them up on the shelf, and when my son came home I told him that there was the money Hoagland paid me.

Q. Do you know whether the State and county taxes for the year

1877, on your duplicate, of William Connell, Samuel Cable, John G. Davis, jr., William McClure, Richard H. Quiggle, jr., Robert T. Quiggle, jr., Thomas G. Simcox, Wm. E. Lucas, Jacob B. Curtis, John W. Johnson, Washington McClure, Henry J. Snyder, Abraham Simcox, Peter Miller, Joseph M. Logan, Cornelius McKeague, and Victor Fabinger, have been paid, and, if so, which of them?—A. The only one I know about is Victor Fabinger; I know that he is paid.

Q. When and how did Victor Fabinger pay his tax?—A. I can't just tell you when, but some time in the fall of 1878, about seeding time; I got four pigs of him at \$1 apiece, and I settled his taxes.

Q. At the time you got those pigs did you agree to settle his taxes?—A. No, sir; there was nothing said about it at that time.

Q. Have you made an actual settlement of Victor Fabinger's taxes upon the duplicate; and, if so, when was that settlement actually made, day and date?—A. I made an actual settlement with him, but I cannot tell the day and date. I ordered my son to give him a receipt. I do not know whether he gave it or not.

Q. Was that settlement not made since November 5, 1878?—A. No, sir; not to my knowledge.

Q. Do you say that to the best of your knowledge and belief that it was before November 5, 1878, that you told your son to give Victor Fabinger a receipt for his taxes?—A. I could not say when it was. I cannot fix any time at all.

Q. Do you not know that the payment of Victor Fabinger's taxes, out of the proceeds of the pigs which you bought from him, was never spoken of by either of you until since the election of November 5, 1878?—A. I can't say a single thing about it; I don't know.

Q. Why is it that your memory serves you so well as to the time that you purchased the pigs, and you cannot tell within months as to the time when you settled for them?—A. I remember getting the pigs about the time I spoke of; the settlement was made shortly afterwards in the fall, but I do not know how long after; but I ordered my son to give him a receipt; the receipt will show for itself.

Q. How much did the pigs come to?—A. I paid \$1 apiece for them.

Q. Do you not know that you made a settlement with Victor Fabinger since the election of November 5, 1878, in which he gave you in money a balance of about \$1, and did you not give him a receipt dated back?—A. No, sir; I answer that to all the questions.

Adjourned to meet at 1.30 p. m.

Met at 1.30 p. m. in pursuance of adjournment.

H. T. Haney, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

JACOB QUIGGLE the witness on the stand.

Q. Then do I understand you to say, under oath, that you cannot tell whether your settlement with Fabinger was before or after the election of November 5, 1878?

(Objected to, because the witness stated that it was not made since November 5, 1878, but that he could not state exactly when it was.)

A. I am under the impression that it was before the election.

Q. Do you know whether or not any receipts were returned to you or to your son, by George M. Hoagland or any other person, after the election, which had been issued and signed by your son before the election?—A. No, sir.

Cross-examined by counsel for contestant :

Q. Does your son, Crawford J. Quiggle, of whom you have been speaking in your testimony, live with you ; has he lived with you all his life-time ?—A. Yes, sir.

Q. Your appointment of him as collector was for your own convenience, and his acts you considered as your acts, did you not ?—A. My appointment of him as collector was for my own convenience ; I considered his acts as my own ; I considered that I was responsible for them.

Q. Did George M. Hoagland and your son do the examining of duplicates, the making of calculations of amounts, the preparing of receipts, &c., almost entirely without consulting you, and is that the reason why you have but a general idea of the date, the amount of money, and the names of the persons for whom taxes were paid, and other details of that transaction ?—A. Hoagland never consulted me at all ; my son can tell you about it, I guess.

Q. You have spoken of certain persons, commencing with William Connell and ending with Victor D. Fabinger, whose taxes for 1877 you said were not paid upon your duplicate so far as you knew, excepting Victor D. Fabinger ; when you made that answer did you have your duplicate before you ; do you profess to be able to state who of them has not paid taxes without referring to your duplicate ?—A. The only one I know of having paid was Victor D. Fabinger. I do not know anything about the others.

Q. You have stated that you got four pigs from Victor D. Fabinger, at one dollar each, about "seeding-time" in the fall of 1878 ? What do you mean by "seeding-time" ?—A. I suppose seeding-time would be between from the 10th to 15th of September ; about that time.

Q. Do you remember of your son stating to you that he had obeyed your instructions and given Fabinger a receipt for his taxes ?—A. He said so ; yes.

Q. You say that you did have an actual settlement with Fabinger ; that these taxes were actually settled for, but that you cannot recall the date of the transaction, do you ?—A. I can remember the transaction but I cannot remember the date.

Q. Have you any personal knowledge as to whether or not the following persons paid their State and county taxes for 1877 ? Thomas Cupp, sr., John Cable, William Chatham, John Q. Dice, James Pipes, George Ritter, Joseph Simcox, Thomas K. Shortlidge, Benjamin F. Toner, Robert H. Williams, John Hoyt, Nelson Clendennin, James Q. Dice, Joseph R. Fredericks, and Jacob Stamm ?—A. No, sir.

JACOB QUIGGLE.

CRAWFORD J. QUIGGLE, without objection by counsel for contestant, being duly sworn, deposes as follows :

Question. State your name, residence, age, and occupation ?—Answer. Crawford J. Quiggle ; I live with my father in Wayne Township ; I am 24 years of age ; I am a farmer.

Q. Have you been collecting the State and county taxes for Wayne Township, Clinton County, for the year 1877, for your father, who was appointed collector by the commissioners of Clinton County ?—A. Yes, sir ; some money would sometimes be paid to him in my absence, and he would hand it to me when I came back.

Q. Have the taxes of William Connell, Samuel Cable, John G. Davis, jr., William McClure, William M. Quiggle, Richard H. Quiggle, jr., Robert T. Quiggle, jr., Thomas G. Simcox, William E. Lucas, Peter Miller, Joseph McKague, and Cornelius McKague, been paid on your duplicates ?—A. William Connell's tax is not paid ; Samuel Cable's tax is

not paid; John G. Davis, jr.'s, tax is not paid; William McClure's tax is not paid; Wm. M. Quiggle's tax is not paid; Richard H. Quiggle, jr.'s, tax is not paid; Robert T. Quiggle, jr.'s, tax is not paid; Thomas G. Simcox's tax is not paid; William E. Lucas is not on my duplicate; Peter Miller's tax is not paid; Joseph McKeague's tax is not paid; Cornelius McKeague's tax is not paid.

Q. Have the taxes of Jacob B. Antis, John W. Johnson, Washington McClure, Henry J. Snyder, Abraham Simcox, been paid; if so, when were they paid and by whom?—A. Jacob B. Antis's tax is paid by George M. Hoagland; it was paid on the 5th day of October, 1878; all of these taxes for these persons were paid by George M. Hoagland on that day.

Q. What amount of money did you receive for the taxes of the persons whose names you have mentioned as having been paid by George M. Hoagland?—A. I can't exactly state the amount. It has slipped my memory now.

Q. Was it neither more nor less than the exact amount required to pay the taxes of the persons whose taxes you say were paid by George M. Hoagland?—A. No, sir; Hoagland gave me the list of names that he wanted to pay taxes for. They were written on the paper that was wrapped around the money which he left with father. It was the paper father spoke about. There were a few names on the list that Hoagland left that were not on my duplicate. I returned the money for them to Hoagland again.

Q. Then, as I understand you, you and Hoagland had not looked over your duplicate and ascertained the name and the amount of taxes he proposed to pay?—A. Hoagland had not looked at my duplicate.

Q. Were there any receipts returned to you after the election?

(Objected to, unless they were the receipts of some of the persons above named, or of some of the persons shown to have voted at the election.)

A. No, sir; I got no receipts.

Q. Do you not know that there were receipts in existence on the day of the election for which you had not at that time received the money, or if you had received the money for said receipts, were they not returned to you or some other person after the election?

(Objected to, because it is indefinite and vague; the question not stating what receipts are meant; whether any of them had been used to vote upon; whether any of them were ever delivered to anybody; the evident purpose being to reflect upon the integrity of the witness and of others manifesting an interest in the election by the use of general terms and expressions.)

A. No, sir.

Q. Do you state that as collector you did not sign a single receipt for the payment of State and county taxes for which you had not at the time received the money?

(Objected to, because such receipts if issued should in some wise be connected with the election and should be shown to have been used; for a tax-collector could ordinarily give a receipt to a tax-payer without having received the money, if he chose to do so, without doing any wrong unless he intended they should be used for voting purposes, or for some other improper purpose.)

A. Yes, sir; I did not sign a single receipt since the election; I signed no receipt for which I had not already received the money.

Q. Have the taxes of Victor D. Fabinger been paid upon your duplicate?—A. Yes, sir.

Q. Who paid them, and what month and what day of the month was it that they were paid?—A. They were paid through father, but I do not know exactly the day of the month. I don't just exactly know the month. It was before the election, and Fabinger came to me and said he wanted to settle up his taxes so that he could vote. I made out the receipt for his taxes as father told me to do.

Q. Do you not know that the settlement which was made with Fabinger was made since the election of November 5, 1878?—A. No, sir; it was made before; because he came to me and wanted a receipt so that he could vote.

Q. Did you mark his taxes paid in your duplicate at the time you say you gave that receipt?—A. No, sir; I neglected it at that time, but the taxes were paid.

Q. Did you ever mark it as paid in your duplicate?—A. No, sir; I did not.

Q. Was it marked paid in your duplicate until Joseph R. Fredericks was examining your duplicate within a few weeks; was it then not marked paid by him at your request?—A. He marked it paid. I do not know that I requested him to do it. He had a pencil in his hand and marked it paid as he was looking over my duplicates. I told Joseph R. Fredericks that it had been paid.

Cross-examined by counsel for contestant:

Q. A number of receipts have been shown in evidence, dated October 5, 1878, signed Crawford J. Quiggle, in favor of Henry J. Snyder and others, for State and county taxes of 1877; were those receipts dated at the time they were issued?—A. No; they were not. I made the receipts as of the date when the money was paid in.

Q. Did you give Victor D. Fabinger a receipt?—A. Yes, sir.

Q. Did Victor D. Fabinger come to you, as you have stated above, before the time (October 5, 1878) that Hoagland paid this money for these other receipts, and did you give the receipt to him in pursuance of the order of your father, Jacob Quiggles?—A. He came to me before the time that Hoagland paid his money; I know Hoagland paid his money on the 5th day of October, 1878, and I gave Fabinger his receipt before that.

Q. Please take your duplicate and state whether or not the State and county taxes therein are paid by the following persons, in whole or in part, or by any one for them, viz: Thomas Cupp, sr., John Cable, William Chatham, John Q. Dice, James Pipes, George Ritters, Joseph Simcox, Thomas K. Shortlidge, Benjamin F. Toner, Robert H. Williams, John Hoyt, Nelson Clendennin, James Q. Dice, Joseph R. Fredericks, and Jacob Stamm?

(Same objection as to the cross-examination of John Simcox.)

A. Thos. Cupper's taxes have not been paid; John Cable's taxes have not been paid; William Chatham's taxes have not been paid; John Q. Dice's taxes have not been paid; James Pipe's taxes have not been paid; George Ritter's taxes have not been paid; Joseph Simcox's taxes have not been paid; Thomas K. Shortlidge's name does not appear on my duplicate; Benjamin F. Toner's taxes have not been paid; Robert H. Williams's taxes have not been paid; John Hoyt's taxes have not been paid; Nelson Clendennin's name does not appear on my duplicate; James Dice's taxes are marked paid. I do not recollect anything about that payment. Joseph R. Fredericks's taxes have not been paid; Jacob Stamm's taxes have not been paid.

CRAWFORD J. QUIGGLE.

Continued to meet on Tuesday, March 18, 1879.

Tuesday, March 18, 1879. Met pursuant to continuance.

C. H. McKee, esq., appears for contestee; T. C. Hipple, esq., and T. T. Abrams appear for contestant.

JOHN W. EARON, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John W. Earon; I am 18 years of age on September 6, 1878; I live in Pine Creek Township, Clinton County, Pennsylvania; I am a farmer.

Q. Are you a son of Adam Earon?—A. Yes, sir.

Q. Did Jacob A. Kline pay to you his State or county tax?—A. No, sir.

Cross-examined by T. C. HIPPLE:

Q. Do you know when your father received his duplicate?—A. No, sir; I can't tell just when.

Q. How many persons do you know in Pine Creek Township by the name of Jacob Kline?—A. I think there are three living in Pine Creek Township.

Q. State the middle names, if you know them.—A. I don't know their middle names; there is one Jacob A. Kline and one Jacob E. Kline.

Q. Where does Jacob E. Kline live?—A. His parents live down at Pine Creek bridge.

Q. Where does Jacob A. Kline live?—A. He lives near Pine Creek too; I can't tell how far from the mouth of it though.

Q. Do you know where the Garman family live in Pine Creek Township?—A. George Garman lives within about half a mile of Pine Creek.

Q. Do you know Ellen Garman, Rebecca Garman, or George Garman?

(Objected to, because it is irrelevant and not proper cross examination.)

A. Yes, sir; I know there is a Rebecca Garman.

Q. Do you know where they live?—A. I do not know where Rebecca Garman lives; Ellen Garman lives near Pine Creek.

Q. Is either Jacob A. or Jacob E. Kline related to that family?—A. I believe Jacob A. is; I think probably both are married. I think Jacob A. is married. I most always get mixed in their names.

Q. Do you know where Jacob A. Kline lives?—A. He lives near Pine Creek; I have been at his house.

Q. Were you ever at his house within two years prior to November 5, 1878, when his wife was present, and Ellen Garman and Rebecca Garman and George Garman were present, or any of them?—A. Yes, sir; they were all present except Rebecca Garman; I do not know whether she was present or not. I think it was before November 5, 1878.

Q. Can you remember on what errand you went to that place?—A. I was collecting taxes on my father's duplicate.

Q. Was the question of taxes discussed there or mentioned?—A. I think so.

Q. Did you have your duplicate along?—A. Yes, sir; I do not know whether I had the county duplicate along or not. I had the duplicate for the school tax of 1877 along, I think. I can't tell anything about whether I had the county duplicate along.

Q. Have you a brother who is living at home with your father and who also collected taxes for your father, and did your father also do the collecting?—A. I have a brother at home who collected some taxes for my father; I believe father did some collecting.

Q. Have you any recollections of receiving taxes when you did not

have your duplicate to produce, or which you did not immediately credit on your duplicate?—A. I don't know whether I have or not. It has been offered to me in that way, but I do not remember whether I took it or not.

Q. Have you not upwards of 300 names of tax-payers in your duplicate?—A. I can't answer that question; there are 21 pages in the duplicate, and as high as 18 names on a page, and as low as 7 on a page.

Q. Do you pretend to say that with a duplicate of that size, and without the aid of a memorandum or an entry in the book of payments, that you can recall the detailed transactions with the persons named therein as far back as the summer of 1878, or that if you took taxes without having your duplicate present to make an entry thereon, that you could not have omitted to make that entry and it might not have escaped your mind?—A. I think I could recall the transactions; if I had taken taxes that way it might have escaped my mind.

Q. Does the name of Matthew Rogers and William Rice and Frank Cable appear upon your duplicate?

(Objection same as to cross-examination of John Sincox, collector of Wayne Township.)

A. Matthew Rogers' name appears; his county tax is \$12.32; no State tax; there has been nothing paid upon it. Frank Cable's name appears; his county tax is 52 cents; no State tax. I do not know whether it was paid since the election, but I think it was. William Rice is on my duplicate; his county tax is 40 cents; no State tax. His county tax has not been paid.

Q. Does the name of David B. Crist appear upon your duplicate?

(Objected to same as to cross-examination of John Sincox, collector of Wayne Township.)

A. Yes, sir. His county taxes are 40 cents. I think they were paid since the election. It was paid to me. I am sure I received it after October 5, 1878.

Q. Look at the names of William Waters and Geo. Betts; are they on your duplicate; are their taxes paid; if so, to whom paid, and when?

(Objected to same as to cross-examination of John Sincox, collector.)

A. William Waters' name is on my duplicate; his tax was paid to me. I can't tell when it was paid, but I think it was since the election. He has a receipt and can tell that better than I can. George Betts' name is on my duplicate. His tax was paid to me. I can't tell when it was paid, but I think it was since the election.

Q. Look at William C. Donnelly's name and see if his taxes are paid; and if so, state when and by whom.

(Objected to same as to cross-examination of John Sincox, collector.)

A. William C. Donnelly's tax was paid to me by M. B. Rich before the election. It was more than 30 days before the election.

Direct examination resumed by C. H. McKEE, Esq.:

Q. You spoke of Jacob A. Kline's having paid you taxes when Rebecca Gaman and Ellen Gaman was present; state what taxes he paid you.—A. He paid me school-tax. I did not say that Rebecca Gaman was present. He did not pay me State or county taxes at that time.

Q. Do you remember when it was that you were at his house for taxes?—A. I think it was in 1878; I am not sure.

Q. Was it before your father got the duplicate for 1878?—A. I don't know that. I can't tell.

Q. Did he, Jacob A. Kline, pay you State or county tax at any time?—A. No, sir.

Cross-examination resumed by T. C. HIPPLE, Esq.:

Q. You now state that Jacob A. Kline at one time paid you taxes at his house in presence of some of the Gaman family; what directions did you have about applying those taxes, or what statements did you make as to how you would apply them?—A. I gave him credit on the school tax. I don't remember that any directions were given. I do not remember whether or not I gave him a receipt.

Q. What amount of money did you receive from Jacob A. Kline at that time?—A. I can't tell you that. I think it was something like \$1.40.

*Q. Please state what his taxes on your State and county duplicate are?—A. His county tax is 56 cents; no State tax.

JOHN W. EARAN.

Continued to Wednesday, March 19, 1878.

March 19, 1878, Wednesday. Met pursuant to adjournment. C. H. McKee, esq., appears for contestee; T. C. Hipple, esq., appears for contestant.

NATHAN J. BITNER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Nathan J. Bitner; I am 34 years of age; I live in Beech Creek Township, Clinton County, Pennsylvania; I am a farmer.

Q. How far is Quay's school-house from the house formerly occupied by Andrew White, in Florence, in Beech Creek Township?—A. As near as I can give it as a guess, it is between three-quarters of a mile and a mile, but it is very near a mile, I suppose.

Cross-examined by T. C. HIPPLE, Esq.:

Q. How long have you lived in Beech Creek Township?—A. About thirty-three years, if it has been a township that long. It was a township long before I was a voter.

Q. Were you one of the election officers at the election held November 5, 1878, in Beech Creek Township?—A. Yes, sir. I was a clerk.

Q. Reference has been made to the house formerly occupied by Andrew White in Florence; and you were asked the distance from Florence to Quay's school house, where the election was held last fall. Now state whether or not there is such a place as Florence, and whether or not the house of Andrew White, mentioned in the sheriff's proclamation, was not long since torn down and destroyed.

(Objected to as irrelevant and immaterial and not proper cross-examination.)

A. I think there must certainly be such a place as Florence; yes, sir. It went by the name as long as I can remember. The house of Andrew White mentioned in the sheriff's proclamation was torn down and destroyed about three years ago.

Q. Do you not know that the place formerly called Florence, was very many years ago changed to Beech Creek Borough, and have you not stated since you came into this room that the name Florence, as designating a locality, was hardly known to the young men in your section, and that you and others of your age hardly ever heard it used except when some old person inquired for Florence?

(Objected to as irrelevant and immaterial and not proper cross-examination.)

A. I do know that the place called Florence was many years ago changed to Beech Creek Borough. I have stated since I came into this

room that the name Florence as designating a locality was hardly known to the young men in our section, and that I and others of my age hardly ever hear it used except when some old person inquires for Florence.

Q. How many years ago, as nearly as you can judge, was the name Florence changed to Beech Creek Borough?—A. I suppose since it took its name of Beech Creek Borough was probably seven years. Before it was made a borough it went by both names, Florence and Beech Creek Borough.

Q. Do you know the place where the house of Andrew White formerly stood?—A. I know it as designated by the sheriff's proclamation. I have passed by it.

Q. You have stated that you have lived in that vicinity for 33 years and over; are you not perfectly familiar with the location or site where the house of Andrew White stood, which house you heretofore testified was now torn down and destroyed?—A. Yes, sir; I am.

Q. How long have voted in Beech Creek Township?—A. Twelve years.

Q. How long have you voted at Quay's school-house, the place where the election was held November 5, 1878?—A. Three years, as near as I can recollect.

Q. Have not all the elections in Beech Creek Township, both township and general elections, been held at Quay's school-house for at least three years?—A. Yes, sir; as near as I can recollect.

Q. Did you go, or think of going, on the 5th day of November, 1878, or do you know of any person who went, or thought of going (I mean, voters in Beech Township) to any other place than Quay's school-house to vote on November 5, 1878?—A. I did not go or think of going. I know of no one else who went to any other place.

Q. You have stated that you were a clerk on the election board November 5, 1878; now have you ever heard it stated that anybody entitled to vote in Beech Creek Township was misled by the sheriff's proclamation so that he went to where the house of Andrew White once stood for the purpose of voting, or failed to come to Quay's school-house to vote on November 5, 1878?—A. I did not.

Q. Do you know that in 1876 a petition was presented to the court of quarter sessions of Clinton County, setting forth that the buildings in which the general, special and township elections for the election district composed of the township of Beech Creek had been held had been torn down and no new building erected, and asking for a change of the place of holding elections; and did you not sign said petition? and do you not know that ever since the court acted upon that petition the elections have been held at Quay's school-house, the place where it was held November 5, 1878?—A. I knew there was such a petition. I signed that petition. I know that after I signed that petition it was said to me that the place for holding elections in Beech Creek Township was changed to Quay's school-house; but I have no knowledge that the court ever granted the petition.

Q. Please look at this petition above mentioned, No. 46, May session, 1876, quarter sessions of Clinton County (petition of citizens of Beech Creek Township to change the place of holding elections), and state whether the name of Nathan J. Bitner thereon was signed by you.—A. It was not signed to this petition in the shape that it is now.

Q. Will you answer my question as to whether or not that name, Nathan J. Bitner, upon this petition is in your own handwriting?

(Objected to by H. T. Haney, esq., counsel for contestant, because not proper cross-examination, and because the witness has already stated

that he never signed the petition presented by counsel for contestant; that said paper, upon its face shows an alteration made by the attorney who presented the petition to the court, making said petition to read differently from what it did read at the time it was signed by the petitioners, and accordingly it can be of no consequence whether the name of Nathan J. Bitner appears upon the paper or not, the substance of said paper having been changed without his knowledge and consent to-day.)

A. The name Nathan J. Bitner on this paper is in my own handwriting. I wrote it myself.

Q. State your politics, whether Republican or Demoratic.—A. I am a Republican.

Cross-examined by CHAS. H. McKEE, Esq.:

Q. State whether or not this petition to which you here stated you had signed your name has been altered and changed since you signed it?—A. It has.

Q. Has the prayer of the petition which at the time you signed it was for "the court to order an election in said election district on the question of the change of place of holding said elections as above mentioned" been so changed as "to ask for fixing the place of holding the elections within mentioned at the Quay school-house," since you signed the petition?

(Objected to for the reason that the petition, though filed June 9, 1876, was on application of the petitioner's attorney, on September 29, 1876, allowed by the court to be amended as above stated, and the decree of the court indorsed upon said petition fixing Quay's school-house as the place for holding said election, and that petitioner is bound by the act of his attorney who appeared for him and others before the court, and by his own acts in voting, as he has testified, at the Quay's school-house ever since the decree of the court.)

A. Yes, sir; I never saw the paper until it came here to-day.

Q. Were you consulted at any time in reference to this change; was it made with your consent; did you authorize any one to make the change for you, or do you know of any attorney employed who had authority on your behalf to make such a change as appears on this paper?—

A. I was not consulted at any time in reference to this change; it was not made with my consent. I did not authorize any one to make the change for me. I do not know of any attorney employed who had authority on my behalf to make such a change as appears in this paper.

Q. When did you first learn of the change of this petition?—A. Not until to-day; I have never heard any of the other petitioners say anything in reference to the change in the petition.

Recross-examined by T. C. HIPPLE, Esq.:

Q. Please count the number of names attached to that petition besides yourself, and state the number.—A. Forty-six.

(C. H. McKee, esq., objects to all the foregoing cross examination of this witness as not proper cross-examination and irrelevant.)

NATHAN J. BITNER.

E. A. MCGILL, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. E. A. McGill. I am 36 years of age. I live in Castawa Township, Clinton County, Pennsylvania. I am a laborer.

Q. State whether or not you have paid a State or county tax within two years prior to the 5th day of November, 1878; if so, when, how

much, and to whom?—A. I have; I paid it to Robert McAlister for the year 1876. I paid it along in the fall of 1877, or in the latter part of the summer of 1877. I do not remember the amount. I don't know whether or not I have paid the State and county tax for 1877. I know that I paid him State, county, and school-tax in the latter part of the summer or in the fall of 1877.

Q. State whether or not you have paid any other State or county tax since November 5, 1876, and prior to October 5, 1878, than that which you say you paid to Robert McAlister.—A. Yes, sir; I pay State and county tax all the time here in Lock Haven. It is all paid up to 1878.

E. A. MCGILL.

Testimony of witnesses taken on Tuesday, March 18, 1879, between the hours of 8 o'clock a. m. and 11 o'clock p. m., by virtue of notice of contestee, hereto attached, marked I. S. M. McCormick, notary public.

H. T. Haney, Esq., appears as counsel for contestee; T. C. Hipple, Esq., and T. T. Adams, Esq., appear as counsel for contestant.

DAVID LUDWIG, being duly sworn, deposes as follows:

Question. State your name, residence, age, and occupation.—Answer. David Ludwig; I am 23 years of age; I live in Logansville Borough, Clinton County, Pennsylvania; I am a laborer.

Q. Have you paid a State or county tax within two years previous to the election of November 5, 1878; if so, when and to whom did you pay it, and how much did you pay?—A. Yes, sir; I paid it about the middle of September, 1878, to Michael Fetterhoof. Well, they were paying 75 cents a day, and I thought I was to get that.

Q. How did you pay it?—A. I paid it in labor.

Q. How many days' labor?—A. One.

Q. At the time you went to labor for Michael Fetterhoof, did you go to work out taxes?—A. I thought, of course, it would go on that. I knew he was tax collector.

Q. How long after you did the work, did you tell him to apply it on taxes?—A. I can't recollect the time any more; but I know it was in September some time.

Q. How do you know it was in September that you told him to apply it as taxes?—A. I knew that he was tax collector, and I told him so that he would not forget to apply it.

Q. Did you not tell me (H. T. Haney) yesterday that you did not know when it was that you told him to apply your work to taxes; but that you had asked him within a few days whether he had credited you with your taxes on your work?

(Objected to: 1st. Because it is irrelevant; 2d. Because it is in contradiction of their own witness; 3d. Because mere casual conversations in general terms are not competent to contradict direct statements under oath; 4th. Because the witness does not pretend to state the exact date; but states that he knows it was in a certain month.)

A. I don't think I told you that yesterday. I studied over it last night, what Mr. Haney asked me. He asked me whether I paid the taxes—yes. Yes, it was in September that I told him.

Q. How do you know it was in September?—A. Because I worked for him and I knew he was tax collector.

Q. When did you work for him; what time in September was it?—A. I don't recollect what time in September it was.

Q. How many days or weeks was it after you worked for him that you told him to credit it on the taxes?—A. I can't recollect that any more; but I know it was in September some time.

Q. Was it before or after the 20th of September that you worked for him?—A. I don't recollect that. It was in corn-cutting, and I think it was before that time.

Q. Was it before or after the 20th of September that you told him to credit your wages on taxes?—A. I don't recollect that any more.

Q. Who told you that it was necessary in order to keep your vote from being thrown out, or any portion of it, that you should make it appear that you had paid this tax in September?

(Objected to as irrelevant, it not being in evidence in any manner whatever that the witness was so instructed, and the question assuming that the witness has deliberately prepared a statement contrary to the facts in the case for the purpose of testifying thereto and saving his vote.)

A. No one; I knew it without any one telling me.

Q. Have you received from Michael Fetterhoof a receipt for your taxes?—A. No, sir; I have not.

Q. How much are they?—A. I guess they are 50 cents; that is what he told me.

Q. Your wages you say amounted to 75 cents; did you get the other quarter from him?—A. No, sir; I did not.

Q. Did you ever talk to him about your taxes since the time you worked for him, until since you were subpoenaed to testify in this case?—A. I spoke to him since I was subpoenaed.

Q. Did you vote at the election held November 5, 1878, in the election district of Logansville Borough, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at that election in that election district. I voted for Andrew G. Curtin for member of Congress.

DAVID LUDWIG.

JOSEPH HERB, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Joseph Herb. I am 30 years of age. My permanent home is in Booneville, Logan Township, Clinton County, Pennsylvania. I am a teacher. I reside at the present time in Greene Township, Clinton County, Pennsylvania.

Q. Have you a wife and a child?—A. Yes, sir; I have.

Q. Are you keeping house?—A. Yes, sir; I am.

Q. What month and what day of the month did you move into Greene Township?—A. I moved to Greene Township on Saturday previous to the election of November, 1878.

Q. Have you resided there ever since?—A. Yes, sir.

Q. Did you vote at the election held November 5, 1878, in Logan Township, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at that election in Logan Township, Clinton County, Pennsylvania. I voted for Andrew G. Curtin for member of Congress.

Cross-examined by T. C. HIPPLE, Esq:

Q. You have stated in your examination-in-chief that your permanent

residence is in Booneville, Logan Township, but that you now live in Greene Township. What do you mean by that?—A. I am employed as a teacher in Greene Township, and as I am not well, so I got myself a home on the mountain, that I could take my family with me, in regards of walking back to Booneville every Friday evening on account of my disease which I am subject to.

Q. How long had you lived in Booneville prior to being employed as a teacher in Greene Township?—A. Two and a half years.

Q. Do you own a house in Booneville? If so, did you occupy it, have it furnished, &c., before you moved to Greene Township?—A. Yes, sir; I own a house there. I occupied it two and a half years, and I had it furnished.

Q. What furniture, if any, did you take into Greene Township with you; was it all or only a portion of what you used at Booneville?—A. I only took with me a portion of our furniture. I took away a table and a sink and two bedsteads and bedding; that is about all I took with me.

Q. Did you leave the rest of your furniture in your house at Booneville, and did you close that house up for the time being?—A. Yes, sir.

Q. You spoke of getting a home in the mountain. What kind of a place did you get?—A. I got a room in the lower part of the house of John H. Motter's house.

Q. When you were employed to teach school in Greene Township, did you know the time you were expected to teach?—A. No, sir; not distinctly. I was to commence when the schools in the township were to open. I had been away for a week's time, and as I had some fall work to do, I put off my school for a week coming.

Q. How long were you to teach?—A. Five months.

Q. Then, since you were employed to teach in Greene Township for five months, state what was your intention as to which place should be your legal residence; state whether you intended to remain away from Logan Township permanently or whether you intended to return at the expiration of your school term, and whether your taking your wife and child and some furniture into Greene Township was not for the purpose of convenience merely or whether it was for the purpose of obtaining a legal residence there?—A. I thought that Logan Township was my legal residence. I intended then, and do intend now, to return to Logan Township at the expiration of my school term. My taking my wife and child and some furniture to Greene Township was merely for convenience.

Q. State the distance from your house in Booneville to the place where you teach in Greene Township?—A. As near as I can tell, it is six miles.

Q. Do you state that you are subject to such illness as to incapacitate you from walking that distance home on the Fridays of each week and of returning each week to teach?—A. Yes, sir; I do so state. I did not offer to vote in Greene Township in November, 1878.

JOSEPH HERB.

Continued to 1.30 p. m.

Met at 1.30 p. m.

H. T. Haney, esq., appears for contestee; T. C. Hipple and T. T. Abrams, esq., appear for contestant.

WILLIAM R. GOODMAN, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William R. Goodman. I am 26 years of age. I am a medical student. I live in Logansville Borough, Clinton County, Pennsylvania.

Q. Have you paid State or county taxes at any time within two years previous to November 5, 1878; if so, when, to whom, and how much?—

A. I am under the impression that I did, to Robert T. Kleckner, but I cannot tell how much. I cannot tell when it was. I have no receipt.

Q. Is there any fact or circumstance that you can mention, other than the fact that you told Mr. Kleckner that you would pay them, that induces you to say that you have an impression that you did?—A. No, sir; I told him that I would pay them, and I am under the impression that I did.

Q. Who is collecting the taxes that were laid in 1876, which Robert T. Kleckner was collecting previous to his death?—A. I think Daniel M. Morris is, and that he told me that my taxes were not marked paid.

Q. Did you vote at the election held November 5, 1878, in the election district of Logansville Borough, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications of a voter.)

A. I voted at that election in said election district. I voted for Andrew G. Curtin for member of Congress.

Q. Are you prepared to state as a fact that you paid State or county taxes to Mr. Kleckner, or any one else, within two years previous to November 5, 1878?—A. I would answer this the same as I did before. I am under the impression that I did. I cannot state as a fact any more than I stated before, that I am under the impression that I did.

Q. Are you prepared to state as a fact that you paid State or county taxes to Mr. Kleckner, or any one else, within two years previous to November 5, 1878?

(Objected to because the witness has already stated that he is under the impression that he did pay State or county taxes within the period stated; and the burden of proof is upon the contestee when his witness speaks to the best of his knowledge and belief, in the absence of an actual receipt, that it is all that can be required of him.)

A. I say, to the best of my belief, I did.

Q. Then do you decline to give an affirmative or a negative answer as to whether or not you paid taxes to Kleckner?—A. Yes, sir.

Q. What is it that has made the impression upon your mind that you paid Kleckner taxes when you state that you have no knowledge as to the time when it was paid, the amount you paid, or any other circumstance than that you told him at one time that you would pay it?—A. Because I had promised him, and because he had been around me every day in the summer time and never asked me for it. That is all I have to answer.

Q. When did Mr. Kleckner die, as near as you can tell?—A. I think he died some time after the middle of August, 1878.

Cross-examined by T. C. HIPPLE, Esq.:

Q. Did you come from any other place home to vote at the November election?—A. I came from Philadelphia, Pa. I was a student at a medical college in Philadelphia.

Q. You stated you did vote, did you?—A. Yes, sir.

Q. Was there any objection made to your voting?—A. No, sir.

Q. You have been pressed for either an affirmative or negative answer to the question as to whether you could state as a fact that you paid State or county taxes to Mr. Kleckner, or any one else, within two years previous to November 5, 1878; and you stated that you declined

to give an affirmative or negative answer to that question. Now state whether or not you declined to give such an affirmative or negative answer because you knew that you had not paid such taxes within such time, or whether it was because that, without any actual receipt or memoranda to show dates, you were unwilling to abandon your best knowledge and belief upon the subject and fix an exact date; and state further, whether or not it is still your best knowledge and belief on that subject that you did pay said taxes within the period named?

(Objected to because the witness was not asked to abandon his best knowledge and belief, nor was he asked to state anything as a fact, but simply to say whether or not he could say that he had or had not paid the taxes referred to.)

A. Because I do not want to swear that I did, and I don't want to swear that I did not; but to the best of my ability to remember it, I paid them. It is still my best knowledge and belief that I did pay them.

Q. Did it ever occur to you before your examination in this case that your proper taxes were not paid so as to enable you to vote on November 5, 1878, or did you have any doubts about your right to vote when you voted?

(Objected to as immaterial and irrelevant.)

A. It never occurred to me before my examination that my proper taxes were not paid so as to enable me to vote; I was under that impression all along. I did not have any doubts about my right to vote when I voted, or I would not have voted. There is no other W. R. Goodman or Wm. R. Goodman in Logansville Borough.

W. R. GOODMAN.

JOSEPH KLECKNER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Joseph Kleckner; I am 53 years of age; I live in Logansville Borough, Clinton County, Pennsylvania. I am keeping hotel.

Q. Have you paid any State or county taxes within two years prior to the 5th day of November, 1878?—A. I have.

Q. Have you paid any State or county tax within two years prior to November 5, 1878, on your own account; that is, taxes which were assessed against you?—A. I hardly know how to answer that. I answer, yes, I have.

Q. If you paid them, to whom did you pay them, when, and how much?—A. I paid them to Michael Fetterhoof on September 2, 1878; I paid him \$5.

Q. On what property were these taxes laid?—A. On house and two lots on Anthony street in Logansville; it is not the Logan House property.

Q. Were you the owner of this property at the time the taxes were assessed, and are you the owner of it yet?—A. Yes, sir.

Q. Does the title stand in your name?—A. Yes, sir.

Q. Was it assessed in your name?—A. Yes, sir.

Q. Have you paid any other tax within the two years prior to November 5, 1878, other than those you have mentioned?—A. No other State or county tax.

Q. Did you vote at the election held on the 5th day of November, 1878, in the election district of Logansville Borough, Clinton County, Pennsylvania; if so, did you vote for member of Congress; and, if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the qualifications of a legal voter.)

A. I voted at that election in Logansville Borough; I voted for Andrew G. Curtin for member of Congress.

JOS. KLECKNER.

JONATHAN MOYER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Jonathan Moyer; I am 62 years of age; I reside in Logansville, Clinton County, Pennsylvania; I am a physician.

Q. Have you paid a State or county tax within two years prior to the 5th day of November, 1878; if so, when, how much, and to whom did you pay it?—A. I have. I paid in 1877, to Robert Kleckner. I paid him \$6. I paid it in either June or July, 1877. I paid the tax that was assessed in 1876 in 1877. I have paid no other State or county tax than this since. I paid this tax by an order on John Eamig. The order was paid a couple of days after I gave him the order.

Q. Did you vote at the election held on November 5, 1878, in Logansville Borough; if so, did you vote for member of Congress, and for whom did you vote?

(Objected to because witness not shown to lack any qualifications of legal voter.)

A. I did so vote. I voted for Andrew G. Curtin for Congress.

Cross-examined by T. C. HIPPLE, Esq.:

Q. The name "Jno. Moyer" appears upon the poll-list returned from the election district of Logansville Borough; and the name "Jon. Moyer" appears on the register list for that district; are you the only person of that name in that district, and are you the person intended in both instances?

(Objected to as irrelevant.)

A. I am.

JONATHAN MOYER.

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, S. M. McCormick, a notary public in and for said State and county, in said twentieth Congressional district, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence; and that the questions, objections, and answers in said depositions, were taken down by me, truly and correctly, as they fell from the lips of the respective counsel and witnesses.

And I do further certify that the erasures and interlineations were made therein, and particularly set forth on pages 259, 260, 261, 262, 263, 264, 265, 266, 267, and 268, were made by me on the lines and pages therein noted before the respective depositions in which they made; were signed by the witnesses.

Witness my hand and notarial seal this 17th day of April, A. D. 1879.

[SEAL.]

S. M. McCORMICK,
Notary Public.

Depositions of witnesses produced, sworn or affirmed, and examined before S. M. McCormick, a notary public in and for the county of Clinton and State of Pennsylvania, resident in the city of Lock Haven, in said twentieth Congressional district, at his office on Water street in said city, on Wednesday, the 26th day of March, A. D. 1879, at 8 o'clock a. m., and by adjournment from time to time, hereinafter particularly noted, to wit, the 27th, 28th, and 29th days of March, A. D. 1879, by virtue and in pursuance of contestee's notices hereto attached, marked respectively J, K, L, M, and N, S. M. McC., N. P.

H. T. Haney, esq., appears as counsel for contestee. T. C. Hipple, esq., appears as counsel for contestant.

Met on Wednesday, March 26, 1879, in pursuance of notice marked .

This witness's name does not appear on notice, but no objection is made by counsel for contestant.

S. M. McCORMICK,
Notary Public.

ROSS W. BARROWS (without objection), being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Ross W. Barrows. I will be 22 years of age on April 25, 1879. I was born in Lock Haven, Clinton County, Pennsylvania. I reside now in the third ward of the city of Lock Haven, Pennsylvania. I am single. I live with my father, W. W. Barrows. I have lived in the third ward where I now live since I was about two years old. I am a student at law.

Q. Did you vote at the election held November 5, 1878, in the third ward of the city of Lock Haven; if so, did you vote for member of Congress, and, if so, for whom?—A. I did vote at that election in that election district. I voted for Seth H. Yocum for member of Congress.

Q. Your father and mother reside in that ward, do they?—A. Yes, sir, and have done so ever since I was two years old.

ROSS W. BARROWS.

CHAS. BINGHAM, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Charles Bingham. I am 29 years of age; I reside now in Altoona, Pennsylvania. I am a clerk.

Q. Where have you resided during the past five years?—A. In Lock Haven, Clinton County, Pennsylvania. I resided in the third ward of the city of Lock Haven not quite two years previous to November 5, 1878. I was a housekeeper during that time. I resided with my family during that time.

Q. Where is your family living now?—A. In the third ward of the city of Lock Haven, Pennsylvania.

Q. Are you employed at Altoona?—A. Yes, sir; by the Pennsylvania Railroad Company.

Q. You were not employed there on November 5, 1878, were you?—A. No, sir.

Q. Did you vote in the election district of the third ward of Lock Haven at the election held November 5, 1878?—A. Yes, sir.

Q. Was that your legal settlement?—A. It was. I had been away, but I had not given up this settlement.

Q. For whom did you vote for member of Congress?—A. I voted for Seth H. Yocum.

Q. Where were you born?—A. In Blair County, Pennsylvania.

Q. When did you last pay State or county tax?—A. In the early part of 1878. I paid to Peter Beck, collector. I also paid taxes to Basil Renocher, collector, but I do not remember when I paid him.

CHAS. BINGHAM.

ISAAC L. McCLOSKEY, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Isaac L. McCloskey. I am 44 years of age. I live in the first ward of the city of Lock Haven, in the county of Clinton, and State of Pennsylvania. I am a teacher.

Q. Where were you born?—A. In Clinton County, Pennsylvania.

Q. How long have you lived in the first ward of the city of Lock Haven?—A. It will be three years next December. I have a family, and they reside with me.

Q. Was the first ward of Lock Haven your legal residence on the 5th day of November, 1878?

(Objected as requiring the witness to pass upon law instead of stating the facts of his residence.)

A. Yes, sir; I moved there (to the first ward of Lock Haven) in December, 1876, between Christmas and New Years.

Q. When did you last pay State or county taxes and to whom?—A. I paid county tax on November 10, 1877, to Peter Beck, collector of taxes.

Q. Did you vote at the election held November 5, 1878, in the election district of the first ward of the city of Lock Haven? If so, did you vote for member of Congress; and if so, for whom did you vote?—A. I voted at that election in that district; I voted for Seth H. Yocum for member of Congress.

ISAAC L. McCLOSKE.

JOSEPH MCKAGNE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Joseph McKagne; I am 45 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Did you pay State and county tax previous to November 5, 1878, and within two years of that date; and if so, to whom did you pay it?—

A. I have paid my tax by an order; it was last spring some time; I can't tell the date exactly; I paid it to Thomas Henry.

Q. Have you a receipt?—A. No, sir; I have not. He came to my house and I gave him an order on George Hoagland. Mr. Henry told me that it was paid. He told me that along through the summer of 1878; I cannot remember the time.

Q. Did you give him an order for the exact amount of your taxes?—A. Yes, sir.

Q. Did you vote on November 5, 1878, at the election held in the election district of Wayne Township? If so, did you vote for member of Congress; and if so, for whom?—A. I did so vote at that place. I voted for Andrew G. Curtin for member of Congress.

Q. Did you pay State or county taxes to any other collector within two years previous to November 5, 1878?—A. I think I did; but I can't be sure.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestee:

Q. You have stated that in the spring of 1878 you were called upon by Thomas Henry for your State and county taxes; that you gave an order to said Henry on George M. Hoagland for the amount of your taxes; that said Henry told you in the summer of 1878 that the order had been paid. Did you have a settlement with Hoagland in which this order that was paid was settled for?—A. I did not have a settlement with him. We looked over the account. The order was charged against me. We had mutual accounts against each other.

JOSEPH McKAGNE.

PETER MILLER, being duly sworn, deposes and says:

Question. State your name, age, residence and occupation.—Answer. Peter Miller; I am 54 years of age; I live in Wayne Township, Clinton County, Pennsylvania; I am a farmer.

Q. Have you paid State and county taxes at any time within two years before November 5, 1878? If so, to whom did you pay it?—A. I paid my State and county tax to John Simcox last spring a year—that is, the spring of 1878.

Q. How much did you pay?—A. I can't tell how much it was; I took no receipt.

Q. How many taxes did you pay?—A. I can't tell how much.

Q. Was there some school tax in it?—A. I can't tell any more what kind of tax he was collecting exactly.

Q. Did you pay all that he was collecting at that time?—A. I don't know. I may have paid him some before. I do not know whether I paid it all at once. I paid the balance on last spring, 1878.

Q. Is there any other Peter Miller in your township beside yourself?—A. No, sir; not that I know of.

Q. How long have you lived in Wayne Township?—A. For the last ten years.

Q. Do you know how much you paid to John Simcox in the summer or early part of the year 1878?—A. I can't remember how much I paid him.

Q. Mr. John Simcox has stated that your county tax on his duplicate is \$6.60, and that you paid in the fore part of the summer of 1878 \$1.01. Do you know that the amount paid as testified to by him is not correct?—A. I can't see how that can be done. I don't know whether that amount is right or not. That is all that I know.

Q. Do you not know that Mr. Simcox was collecting some other taxes?—A. Yes; I believe he collected some school tax besides.

Q. Did you vote at the election of November 5, 1878, held in Wayne Township, Clinton County, Pennsylvania? If so, did you vote for member of Congress; and if so, for whom did you vote?

(Objected to because the witness has not been shown to lack any of the legal qualifications for a voter.)

A. I voted at that election in that election district. It is hard to tell for whom I voted for member of Congress; I did not open my ticket.

Q. Who gave you your ticket?—A. John Chatham.

Q. Was it a Democratic ticket?—A. I believe so.

Q. Did you ask for a Democratic ticket?—A. No, sir.

Q. What did you ask for?—A. I asked for nothing at all. He handed me a ticket and I went right square and voted the ticket he gave me, and then I went home.

Q. Did your son vote at the same time you did ?

(Objected to as irrelevant.)

A. Yes; the same day or the same evening. We were not right together at the polls when he voted.

Q. What is your son's name ?—A. Lewis H. Miller.

Q. Where is he now ?—A. In State of Michigan; he went off last fall.

Q. Has he been away ever since ?—A. Yes, sir.

Q. Did you hear him say for whom he had voted for member of Congress ?

(Objected to as irrelevant, the Lewis H. Miller not having been shown to lack any of the qualifications of a legal voter; and there being no proof of any attempt to subpoena Lewis H. Miller; and there being no notice given to examine him or concerning his vote.)

A. No; I can't say particular.

Q. Do you know whether or not either you or your son voted for Andrew G. Curtin for member of Congress ?

(Objected to because the witness has stated that he did not look at his own ticket, and could not say for whom he had voted for Congress, and therefore has no means of personal knowledge; that witness has stated that his son did not tell him for whom he had voted, nor does he state that he was present when his son voted, or that he has any means of personal knowledge as to how his son voted.)

A. I can't tell for sure. We believe we did, but can't tell for sure.

Q. How old was your son ?—A. He is twenty-three years of age, I believe.

Q. Is John Chatham, who gave you your ticket, a Democrat ?

(Objected to as irrelevant.)

A. I can't tell what his mind is; but he has been pronounced to be a Democrat. My mind was, when I got my ticket from him, was that I was getting a Democratic ticket.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Did you see your son vote on November 5, 1878 ?—A. I did not see him pass his vote in. I saw him about the polls, but cannot say whether he voted or not.

Q. From any examination you made of your ticket, would you have been able to have detected the name of Seth H. Yocum upon it for Congress, if it had been there ?—A. No; I did not open it at all.

PETER MILLER.

HARVEY C. LIAS, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Harvey C. Lias; I was born on December 25, 1856, in Jackson County, Iowa; I live now in the third ward of Lock Haven, Pennsylvania; I have lived in Lock Haven with my father and mother either eleven or twelve years; I am a laborer; I have lived in the third ward of Lock Haven two years this April.

Q. Did you vote at the election held November 5, 1878, in the election-district of the third ward of Lock Haven; if so, did you vote for member of Congress; and, if so, for whom did you vote ?—A. I did vote at that election. I voted for Seth H. Yocum.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant:

Q. Did you read the ticket you voted and see the name of Yocum upon it ?—A. I did not; my father gave me the ticket. He has been a Re-

publican ever since I knew anything about him, and I know he would not give me any other kind of a ticket than a Republican ticket.

HARVEY C. LIAS.

WILLIAM A. REED, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William A. Reed; I will be 23 years of age in July, 1879; I reside in the second ward of the city of Lock Haven, Pennsylvania; I am a painter.

Q. How long have you lived in the second ward of Lock Haven?—A. I have lived here all my life, with my father.

Q. Have you paid State or county tax within two years previous to November 5, 1879, and to whom did you pay it?—A. I paid county tax to Alexander Sloan, on September 28, 1878; I also paid county tax to Basil Reinocher on September 29, 1877.

Q. Did you vote at the election held November 5, 1878, in the election-district of the second ward of Lock Haven, Pa.; if so, did you vote for member of Congress, and for whom did you vote?—A. I voted at that election in said election-district; I voted for Seth H. Yocum for member of Congress.

WM. A. REED.

HOWARD L. BANES, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Howard L. Banes; I was born on September 25, 1857; I live in the first ward of the city of Lock Haven, in Clinton County, Pennsylvania, and have lived there all my life. I live now and have always lived with my father. I am a mechanic.

Q. Did you vote at the election held November 5, 1878, in the election-district of the first ward of the city Lock Haven; if so, did you vote for member of Congress; and if so, for whom did you vote?—A. I voted at that election in said election-district. I voted for Seth H. Yocum for member of Congress.

HOWARD BANES.

C. W. MILNER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. C. W. Milner; I am 44 years of age; I reside in Lock Haven, Pa.; I am a clerk.

Q. Where were you born?—A. In Philadelphia, Pennsylvania, in 1835.

Q. Where did you reside on November 5, 1878, and how long did you have your residence at the place you then resided previous to that time?—A. I resided then in Greene Township, Clinton County, Pennsylvania; I moved there in 1866, and lived there ever since; I moved to Lock Haven in December, 1878; I lived with my family.

Q. When did you last pay State or county tax previous to November 5, 1878?—A. In 1877 I paid tax to Amos Zeigler for one; I do not remember the name of the other; my State and county taxes are paid up to 1878.

Q. Did you vote at the election held November 5, 1878, in the election district of Greene Township; if so, for whom did you vote for member of Congress?—A. I voted at that election in said election district; I voted for Seth H. Young for member of Congress.

Cross-examined by T. C. HIPPLE, Esq., counsel for contestant :

Q. Can you recall the name of any other person to whom you paid State or county taxes than Amos Zeigler?—A. I paid State and county taxes to Philip Gramley, and also to David Staunn and Jesse Schrack; I took receipts.

Q. Did you take a receipt for the tax paid to Amos Zeigler? If so, produce it and give the date of it.—A. I took a receipt for that tax; it is dated December 11, 1875; it is \$35.19 for county, State, and poor tax.

Q. Did you take receipts for taxes paid these other parties?—A. The tax that was paid Jesse Schrack was by an order on F. M. Ross, Lock Haven, Pennsylvania.

Q. State when that order was given, and whether it was paid, to your personal knowledge.—A. It was given, I think, in the month of February or March, 1877, and the collector told me it was paid, and he said he had marked it paid on his book; that he told me after he returned from Lock Haven.

Q. How do you know that order was given to apply on State and county taxes?—A. I expressed it in that way in the order, what it was for; that is my recollection that it was for that purpose.

Q. How did you pay your tax to David Staunn and Philip Gramley, and when did you pay it; and how do you know that either or both of them were for State or county taxes?—A. In 1878 I paid county tax to David Staun; I gave him part in the spring of 1878, the balance I paid by order; I paid Philip Gramley's tax in money over two years ago; the collectors told me that they were collecting county taxes, and I paid it as such; I do not remember now whether Mr. Gramley collected county tax or not.

Q. Were you the only person of the name "C. W. Milner" in Greene Township on November 5, 1878, to the best of your knowledge?—A. Yes, sir; I never knew of any other person of that name.

C. W. MILNER.

Continued to Thursday, March 27, 1879.

Thursday, March 27, 1879, met pursuant to continuance.

W. C. Kress, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

J. C. C. WHALEY, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. J. C. C. Whaley; I am 43 years of age; I reside in the third ward of the city of Lock Haven, Pennsylvania; I am editor and publisher of the Clinton Democrat.

Q. What is your politics?—A. I am a Democrat.

Q. Are you acquainted with Andrew G. Curtin, the contestant, and Seth H. Yocum, the contestee?—A. I know Andrew G. Curtin personally, but not Seth H. Yocum.

Q. Were you favorable to the nomination of Andrew G. Curtin for Congress in 1878 in this district?—A. I was.

Q. Did you advocate his nomination?—A. I did.

Q. After his nomination, did you advocate his election?—A. I did.

Q. Did you use any money for that purpose?—A. As chairman of the Democratic county committee I used the funds placed in my hands—my assessments from the candidates—for the lawful purposes of the campaign, and that only.

Q. What do you call the "lawful purposes" of the campaign?—A.

Printing, and the necessary expenses for holding the different meetings, and paying the taxes of those tax-payers who were not able to pay.

Q. Is that all?—A. That is all in general that I can recall.

Q. Is it all in particular?—A. It is.

Q. Then do I understand you to say that all the money that you used for political purposes during the campaign of 1878 was for printing, the necessary expenses of holding meetings, and the payment of taxes of those who were too poor to pay?

(Objected to, because it is too general; the witness, as chairman of the county committee, operated for a great number of candidates for different offices who were voted for at the same election that Andrew G. Curtin was voted for; and that the question is broad enough to embrace the management of the campaign as to all candidates, whereas, the only question in this contest is as to the Congressional campaign, and nothing else is relevant; and the witness cannot be compelled to answer concerning matters not at issue, and may, if he chooses, properly decline to answer concerning all other matters except those pertaining to the Congressional election.)

A. I decline to speak of anything but the Congressional contest, and I answer "Yes, sir."

Q. Did you not, of your own accord, and not in a legitimate answer to questions first propounded by me, mingle the campaign generally with that of the campaign for Congress?

(Objected to as irrelevant, and a forced construction of the previous testimony of the witness.)

A. Such was not my understanding of the intent of your question when you asked it; I understand myself to be here subject to investigation in reference to the Congressional contest.

Q. Did you pay the taxes of men you expected to vote for Seth H. Yocum for Congress?—A. I directed the members of the county committee to pay the taxes within the lawful time of such Democrats as they might find in default of taxes.

Q. Did you expect the men whose taxes were paid by or through you with the campaign funds to vote for Andrew G. Curtin for Congress?—A. That was implied in the act.

Q. Did you expect it, is my question?—A. I expected them to vote the Democratic ticket, Curtin included; but no individual understanding was had with the voter to that effect.

Q. Did you see these voters personally, so as to know in each case what the individual understanding was with them?—A. I did not, as I answered before.

Q. Why, then, do you speak so positively as to what individual understanding was not had with them?

(Objected to as a forced construction of witness' answer, he not having attempted to make positive statements as to what those who were under him as members of his county committee may have done; witness merely stating that he had directed members of his county committee to pay the taxes of Democrats in arrears; and the witness not professing to have personal knowledge of what the members of his county committee did in individual cases.)

A. Because I had none.

Q. Did you not say that "no individual understanding was had with the voter" to that effect?—A. I said, and wish to be understood as meaning, that I had no individual understanding with the voter.

Q. Then you did not pay the taxes of Curtin voters yourself directly, but furnished the money to do it?

(Objected to because the witness did not state anything to justify a

question assuming that the money given by the witness to his subordinates was to pay the taxes of Curtin voters, the witness having used the general term Democrats; and further, there being no evidence of money having been actually used for that purpose, but merely evidence of a direction to pay for delinquent Democrats, if any.

Counsel for contestee would remind counsel for contestant that this is not a cross-examination in which questions must be based upon evidence already in, but a direct examination in which we are trying to get evidence, and would further remind said counsel that the questions are confined to the Congressional votes, because the witness declines to answer all questions in reference to the Democratic ticket generally, and only speaks of the Democrats and Democratic ticket generally where it is not brought out by the questions, but a direct avoidance of the questions asked.

Counsel for contestant respectfully refers these reminders to the Congressional committee.)

A. I directed members of the county committee in their respective townships, wards, and boroughs to furnish me within the lawful time with a list of Democratic voters in default of taxes, the amount opposite the name of each necessary to secure him a vote. On these lists the members of the county committee were furnished with the funds to pay the tax-collector; that is about the answer.

Q. Was there a member of the county committee in each election precinct in the county?—A. There was.

Q. What amount of money did you furnish to pay the taxes of men in Clinton County who were expected to vote for Andrew G. Curtin for Congress?—A. I paid taxes only in the way before mentioned on the lists as presented, and I cannot state the amount.

Q. Can you state about the amount?—A. I cannot. I have no record of the amount. I paid them as they came in.

Q. Can you give it within a hundred dollars?—A. I cannot state the amount; I have no record of it. I assume roughly that the whole amount would not run over \$150.

Q. Who made the assessments upon the different candidates?

(Objected to. The question should have been, Who made the assessment upon Andrew G. Curtin, if any were made?)

A. I made the assessment upon Andrew G. Curtin.

Q. Did you make it upon the other candidates of which you have spoken that assessments had been made?

(Objected to as irrelevant, and the witness is instructed that he may decline to answer if he wants to.)

A. I have spoken of no other candidates, but I made all the assessments that were made.

Q. What proportion of the entire amount assessed did you assess upon Andrew G. Curtin?—A. The amount assessed and paid by Mr. Curtin was \$200.

Q. Is that all the money that you know of Andrew G. Curtin sending to this county for campaign purposes?—A. That is all.

Q. Were you not informed that he sent money to other persons in this county to be used for campaign purposes?—A. I have no recollection of having received any such information.

Q. Have you recollection of having heard that Andrew G. Curtin did furnish money to other persons in this county during the campaign of 1878?—A. I have not, and was not privy to the expenditures of any other sum than the amount stated by me as having been placed in my hands as chairman of the county committee.

Adjourned at 12 o'clock to meet at 2 o'clock p. m.

Met at 2 o'clock p. m., pursuant to adjournment.

W. C. Kress, esq., appears as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

J. C. C. WHALEY (direct examination resumed.

Question. Who paid you the assessment which you laid upon Andrew G. Curtin?—Answer. My recollection is that I received it by check from Mr. Curtin.

Q. Had you no other money for political purposes in the year 1878 than that received from the candidates?—A. None at all, excepting \$50 to the general fund by a citizen of this county.

Q. Who was that citizen?—A. Col. A. C. Noyes gave me \$50, but not especially for Mr. Andrew G. Curtin.

Q. What amount of money had you for campaign purposes in the year 1878?

(Objected to because it covers all candidates, the witness having testified that he had no special Curtin fund. The witness is instructed that he may decline to answer or answer, as he sees proper.)

A. I decline to answer as not germane to the present contest.

Q. Was or was not the funds received from Andrew G. Curtin put into the general fund, and used in connection with that, and the general fund used for his benefit as well as for the benefit of the other candidates?—A. It was.

Q. Do I understand you, then, to decline to state what amount of funds were used by you generally for the election of Andrew G. Curtin?—A. I cannot state what funds were used by me for the election of Andrew G. Curtin. He took his place with the other candidates, for whom the money was used for general electioneering expenses. No special fund from that source or any other was used by me for Mr. Curtin's election.

Q. Did you pay out of the general fund all the expenses for all the meetings that were held in the county at which the election of Andrew G. Curtin was advocated?

(Objected to because the witness has not been shown to have been present at all the meetings, so as to know when and where Andrew G. Curtin was advocated; the question is vague, irrelevant, and in no manner germane to the question of this contest.)

A. I paid out of the fund in my hands the expenses of the meetings held under the auspices of the Democratic county committee. To what extent Mr. Curtin may or may not have been advocated I cannot certainly say.

Q. Were all the meetings addressed by Democratic speakers in Clinton County during said campaign held "under the auspices of the Democratic county committee"?—A. That question is very vague and too indefinite to answer. Men calling themselves Democrats might have addressed a meeting held under the auspices of the party calling themselves "Greenbackers," or under the auspices of the Republican party.

Q. Did you pay the expenses of all the meetings addressed by speakers who were Democrats according to your idea?

(Objected to because it is vague and because the witness has not been shown to have knowledge of all the meetings held in the county and addressed by Democrats.)

A. I paid the expenses of all the meetings appointed by, and held under the auspices of, the Democratic county committee.

Q. Were all the Democratic meetings in said county held under the auspices of said committee?—A. They were, so far as I know.

Q. Have you any information of any other money having been expended in Clinton County for the Democratic ticket, or for the election of Andrew G. Curtin, except what you expended yourself?—A. I have no knowledge of any money having been expended for the election of Andrew G. Curtin, excepting the money expended by myself, as before stated in this testimony.

Q. Do I understand you to say that what you expended, including what was furnished you by Andrew G. Curtin, you expended for the benefit of the Democratic ticket generally?—A. It was so expended.

Q. Do you know of any other moneys being so spent?—A. I do not understand the question.

Q. Do you know of any other moneys being expended in the campaign of 1878, than that expended by yourself, for your party in Clinton County?

(Objected to as embracing all the candidates upon the ticket, and covering whatever they may have done in their own behalf as candidates upon the Democratic ticket, matters not pertinent to this Congressional contest, as Andrew G. Curtin had no control over the other candidates, and should not be held responsible for what, if anything, they did in the campaign; and the witness is instructed that he may, if he chooses, decline to answer questions concerning expenditures of money by other candidates or parties, unless those expenditures in some way had reference to the advancement of the election of Andrew G. Curtin, to the witness's own knowledge; that statements of other parties concerning money expended in the campaign would be clearly irrelevant, unless in some wise connected with Curtin's canvassing.)

A. The "Young Men's A. H. Dill Club" bore a portion of the expenses of some meetings, and they controlled their own fund, and there may have been some contributions from Renovo; if so, they did not come into my hands; but I paid, if not all, certainly nearly all of the expenses there. Individual contributions were made in that way there and here, which were not considered by me in my answers as being part of the general fund in my hand for election purposes.

Q. Did you receive any money from, or on behalf of, Andrew G. Curtin, either before or after the election, except the amount you have already stated?—A. I never received but \$200, either before, during, or since the campaign, from Andrew G. Curtin, nor by anybody for him, nor was I promised any money.

Q. Did you put all the money which you received from Andrew G. Curtin into the general fund?—A. I did.

Q. Were receipts taken for the taxes which were paid for individual voters?

(Objected to because the witness has testified that he did not personally pay taxes; that members of his committee were given funds to pay taxes, but witness has not stated that he knows of a single dollar having been actually applied to that purpose; the whole matter being a trust by him in the representations of others, who may or may not have applied the money to the purposes for which they professedly obtained it.)

A. I cannot say, as that duty was delegated to the respective committeemen, in their several districts.

Q. Did you instruct them to take receipts?—A. I did.

Q. What did you instruct them to do with those receipts?—A. To use them at the election, I was going to say, for the benefit of the voters.

Q. For the benefit of the voter or the candidates?—A. For the benefit of the Democratic ticket.

Cross-examined by T. C. HIPPLE:

Q. Are you the editor of the Clinton Democrat, and is that the Democratic organ in Clinton County?—A. I am the editor of the Clinton Democrat. It is a supporter of the Democratic party in its principles, and supported the Democratic nominees in the last election.

Q. For how long have you acted as chairman of the Democratic county committee?—A. For five years, I should judge.

Q. During your term as chairman, were there one or more Congressmen elected in the Congressional district of which Clinton County is a part, prior to the election held November 5, 1878?—A. This is the third Congressional election in which I participated as chairman.

Q. Please state who were the candidates of the Democratic party for Congress in these elections besides Andrew G. Curtin.—A. In both instances, Hon. L. A. Mackey, of Lock Haven, Clinton County, Pennsylvania.

Q. Since you became chairman did you assess the Hon. L. A. Mackey, when he was a candidate for Congress, in the same manner in which you assessed Andrew G. Curtin, and did you in any manner whatever, either in amount, terms, or otherwise, assess Andrew G. Curtin differently from what you assessed Hon. L. A. Mackey, or differently from what was the usual custom, as far as you knew?

(Objected to because the present financial condition of the Hon. L. A. Mackey is the best evidence of the assessments made by the witness.)

A. I assessed him in precisely the same manner. I did not assess Andrew G. Curtin in any manner whatever, either in amount, terms, or otherwise, differently from what I assessed Hon. L. A. Mackey. My recollection is that Mr. Mackey's last assessment by the county committee was \$200; at the other election it may have been \$250. I do not recollect certainly. I did not assess Andrew G. Curtin differently from what was the usual custom, so far as I knew.

Q. Did you furnish Andrew G. Curtin, or rather furnish for use at the election at which he was a candidate, the tickets to be voted for Mr. Curtin?—A. I did.

Q. Have you any knowledge whatsoever of a special fund, or operation, in behalf of Andrew G. Curtin as a candidate in Clinton County?—A. I have no knowledge.

Q. You have spoken of the payment of money to members of the county committee for taxes of voters; have you personal knowledge of the persons or tax collectors to whom that money was paid, if paid, or the persons for whom it was paid, if paid; in fact, have you personal knowledge that such money was actually applied to the purposes for which the parties obtained it; or have you personal knowledge that there were any Democratic voters in arrears for taxes?—A. I have no personal knowledge of the tax collectors or persons to whom that money was paid, if paid. I have no personal knowledge of the persons for whom it was paid. I have not personal knowledge that such money was actually applied to the purposes for which the parties obtained it. I may have known of one or more Democratic voters in arrears for taxes, here and there, but in the sense in which the question is asked I have no personal knowledge. I dealt with those parties as trusted agents, and left it with them to collect a list of delinquent tax-payers, and trusted them with the payment.

Q. Who was the candidate at the head of the Democratic ticket at

the election November 5, 1878, and for what office was he a candidate? You may say who was candidate for governor?—A. Hon. Andrew H. Dill was candidate for governor.

Q. What was his majority in Clinton County at that election according to the returns?—A. Eight hundred and eighty-five, I think, over Mr. Hoyt.

Q. What was Andrew G. Curtin's majority for Congress at that election?—A. Three hundred and one, I think.

Direct examination resumed by W. C. KRESS:

Q. Dill seems to have been much more popular in Clinton County than Curtin, does he not?

(Objected to, because the counsel for contestee and all others concerned can draw conclusions from the testimony for themselves just as well as the witness; and that, under the peculiar circumstances of the case, the reduced majority for Andrew G. Curtin can hardly be construed as an evidence of his unpopularity with the masses of the voters.)

A. I have no answer to make to that question. Others are as capable of judging as I am.

Q. Can you tell whether Curtin ran as many votes in Clinton County as Dill?—A. I can.

Q. Will you tell?—A. I will.

Q. When?—A. I decline to be examined in this way. At the last election. I withdraw that declination. I should have said at the last election of 1878. I will tell at once.

Q. What do you say occurred at the last election in 1878?

(Objected to as indefinite and irrelevant. The counsel for contestant claims that the witness has the right to have made known to him the meaning of the question last asked so that he may answer it understandingly; and, further, the notary is requested to note that the witness has stated that he did not understand when he commenced his last answer and referred to last election, what time the word "when" forming the question referred to.)

The notary public replies that the witness stated that he did not understand when he commenced his last answer to what the word "when" referred. The question and those preceding had been read over to him once or twice, and upon the notary informing him as to the meaning of the question, he answered, "I will tell it now," which he has noted in witness's answer to question.)

A. I am desirous of answering promptly.

(Counsel for contestee desires the witness to answer the question asked and state his desire afterwards.)

Q. Question repeated.

(Counsel for contestant objects to the question, for the reason that the witness did not say that anything occurred at the election of 1878; but, as the testimony shows, he merely commenced an answer and used the words, "I should have said at the last election of 1878," and was then stopped, after which he stated that he did not understand the question "when.")

(Counsel for contestee requests notary to state whether he stopped the witness from testifying.)

The notary answers that the witness at that place stopped of his own accord.)

A. I desire to answer all questions promptly and courteously. I cannot answer this question because it is too indefinite.

Q. Do you say that your remark "at the last election of 1878," is so

indefinite that you cannot tell what it means?—A. I mean to say that what occurred at the last election is so indefinite and general that I cannot answer it.

Last question repeated.

A. "What occurred at the last election." I did not so answer. I say that the question "What occurred at the last election of 1878" is so indefinite that I cannot answer it.

Question repeated.

A. I do not say so. I know what that means.

Q. What does it mean?—A. It means the election of November 5, 1878, at which the election for governor and other officers took place.

Q. You say you have been chairman of the Democratic county committee for five years?—A. I said so; yes, sir.

Q. And publisher of the Democratic organ of that county for how many years?—A. I have been publisher of the Clinton Democrat since 1869.

Q. How long before the nomination of Andrew G. Curtin did you become favorable to his nomination?

(Objected to as irrelevant.)

A. I decline to answer under the objection of counsel.

Q. Did you advocate his nomination?—A. I did.

Q. For whom did the Democratic party of Clinton County, by their delegates in convention assembled, declare for for Congress?

(Objected to as irrelevant.)

A. Hon. L. A. Mackey.

J. C. C. WHALEY.

Continued to Friday, March 28, 1879.

Met Friday, March 28, 1879, pursuant to continuance.

H. T. Hany, esq., appears for contestee; T. C. Hipple, esq., appears for contestant.

WILLIAM SHADE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer William Shade; I was born April 10, 1857; I reside in Castanea Township, Clinton County, Pennsylvania; I am a laborer; I was born in Bald Eagle Township, Clinton County, Pennsylvania.

Q. Where have you lived since you were born?—A. In Bald Eagle Township most of the time. I live in Castanea, now.

Q. How long have you been in Castanea Township?—A. About two years this coming August.

Q. Are you a married man?—A. Yes, sir.

Q. How long have you been married?—A. A year last October; my family lives with me in Castanea Township.

Cross-examination by T. C. HIPPLE:

Q. Did you vote at the election held November 5, 1878, in the election district of Castanea Township; if so, did you vote for member of Congress, and for whom?—A. I voted at that election in said district; I voted for Seth H. Yocum, for member of Congress.

WILLIAM ^{his} + SHADE.
mark.

Witness:

S. M. McCORMICK.

PHILIP M. LEITZEL, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Philip M. Leitzel; I was born September 4, 1857, in Flemington, Clinton

County, Pennsylvania; I live now in Flemington, Allison Township, Clinton County, Pennsylvania; I am a tinner.

Q. Where have you lived since you were born?—A. I have always lived in Flemington, Pennsylvania, with my father, David Leitzel; I am not married.

PHILIP M. LEITZEL.

J. M. DAUER (without objection), being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. J. M. Dauer; I am 45 years of age; I live in Lock Haven, Pennsylvania; I am a barber.

Q. Where were you born?—A. In Germany, in the state of Bavaria. (Taufschein spoken of by Chas. H. McKee, James T. Brown, purporting to be a record of the birth and baptism of Ad. McLain, shown witness.)

Q. Did you make a true and correct translation of the portion of said Taufschein which purports to contain the account of the birth and baptism of the person named in said Taufschein; if so, have you said translation with you, and in what language is the original?—A. I did make a true and correct translation of that portion of this Taufschein; I have said translation with me; the original is in the German language.

Q. Is part of the original printed and part written?—A. It is part written and part printed.

(Exhibit marked No. 31, S. M. McC., N. P., shown witness.)

This is the translation. (H. T. Haney, esq., counsel for contestant, offers Exhibit No. 31, in evidence.)

Cross-examined by T. C. HIPPLE:

Q. This copy you have prepared does not purport to observe or follow the original paper in its size, illustrations, printed matter in the margin, and colored pictures; but merely gives the portion of the paper you were directed to copy, does it not?—A. It does not follow the original in size, illustrations, printed matter in margin, and colored pictures; but merely gives the portion of the paper I was directed to copy.

Q. Can you find anywhere on this original the name of any person signing or attesting the paper; or can you find anywhere any date of when this paper was made out?—A. I can find the witness of baptism, his mother; this is a question I can hardly answer; I can find a date upon the paper. There is a date on this paper when it was made out, as far as I know.

Q. Does that date appear in the copy you have made?—A. It does.

Q. State the date.—A. The 27th day of May, in the year of our Lord 1858.

Q. You were asked plainly whether upon this original paper you found any date to show when it was made out you; answered that you did; that the date appeared in the copy you made; that it was the 27th day of May, 1858; do you undertake to say that that date there given can under any possible construction of that paper be considered as showing the date when the paper was written and prepared?—A. I will answer, it could or could not. It might have been prepared or it might have not been prepared that day.

Q. Do you find on that paper anything going to show that the date you have mentioned was intended by the party who wrote the paper to represent the date on which it was written?—A. No, sir.

Q. Now, then, please answer my question, whether you find anywhere

on that paper a statement of the date when it was written. I do not wish a surmise or a statement of which might have been or might not have been; if there is any date of the execution or writing of that paper, state it; if there is not, state so.—A. I don't find any date of which it was written positive. I cannot answer positive.

Q. You were asked if you found the name on the original of any person signing or attesting the paper; and you answered that you found the witness of baptism, his mother. Do you say that the name of any person appears written as a witness upon that paper in any capacity; and if so, state the name written in the place for witness in the paper; and state why you did not put the name in the copy you made?—A. No, sir; there was no name there in that place.

Q. Is there then anything to show by whom that paper was written?—A. It purports to have been written by the Rev. James Corm.

Q. Please state what words in that paper make you believe that it purports to have been written by the Rev. James Corm?—A. The general tenor of said certificate and the name James Corm appearing there. I find the name of Rev. James Corm in connection with the words "and was baptized by the pastor, Rev. James Corm, and received the name Adam Sylvester."

Q. Do you regard the name of Rev. James Corm, as it appears in the body of that certificate with the words before and after it, sufficient to justify you in saying that that paper purports to have been written by the Rev. James Corm?—A. Yes, sir; it purports to have been written by Rev. James Corm. I do not know James Corm's handwriting.

Direct examination by H. T. HANEY:

Q. Do you consider yourself capable of translating German into English?—A. I do.

Q. Who gave you the paper or taufschein with the request that you should make the translation which you did make?—A. Mr. S. M. McCormick.

Q. Is there anything upon the original bearing upon the birth or baptism of Adam Sylvester Reninger which you have not translated into your copy?—A. No, sir.

JOHN M. DAUER

JOSEPH GRIER, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Joseph Grier; I was 21 years August, 1878; I reside in the first ward of the city of Lock Haven, Clinton County, Pennsylvania; I am a laborer; I was born August 4, 1857.

Q. Where were you born?—A. I was born at Farrandsville, Clinton County, Pennsylvania.

Q. How long have you lived in Lock Haven?—A. About 18 or 19 years.

Q. How long previous to the 5th of November, 1878, had you lived in the first ward of the city of Lock Haven, Pennsylvania?—A. About sixteen years; it is still my residence.

Q. Did you vote on November 5, 1878, in the election district of the first ward of Lock Haven? If so, did you vote for member of Congress, and if so, for whom?—A. I voted at that election in said district. I voted for Seth H. Yocum for member of Congress.

JOSEPH GRIER.

FRANK REESE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer.

Frank Reese; I was 21 years old the 7th day of last June, 1878; I was born June 7, 1857; I live in Castanea Township, Clinton County, Pennsylvania; I am a laborer.

Q. Where were you born?—A. In Bald Eagle Township, Clinton County, Pennsylvania, as near as I can remember.

Q. Were you called on the part of the contestant in this case?—A. Yes, sir.

FRANK REESE.

WM. S. FLETCHER (without objection), being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. William S. Fletcher; I am 23 years of age; I reside in the second ward of Lock Haven, Pennsylvania; I am a student at law.

Q. Were you present before S. M. McCormick at the time of the taking of the testimony of Frederick Berger, of Gallagher Township?—A. I was.

Q. Did you hear him testify, and did you hear his cross-examination in reference to George W. Moore, Robert Moore, and Robert Mitchell Moore?—A. I did.

Q. Who cross examined him on the part of the contestee?—A. C. H. McKee, esq. I think he did it all.

Q. Did you, after the examination was completed and after Frederick Berger had left the witness stand, hear him make any remark to any one in regard to his examination?

(Objected to as not a proper mode of contradicting Frederick Berger, if that is the intention of the question. Frederick Berger himself should first be called, and then the witness, if it is desired to contradict him. Further, that the declarations of Frederick Berger, after he has testified under oath, has been discharged as a witness, cannot override his testimony given under oath.)

A. I did hear him remark to C. H. McKee, esq. I think he said, "You were too hard on me. I know what you want. I told you a lie." That is all. This remark occurred here in this room immediately after he was discharged.

Cross-examined by T. C. HIPPLE:

Q. Was S. M. McCormick, esq., the commissioner before whom Frederick Berger had testified, still in this room acting as commissioner when Berger made that remark to C. H. McKee, esq., who had cross-examined him in behalf of contestee?—A. He was.

Q. Was T. C. Hipple, esq., the attorney for the contestant, still in the room at the time?—A. He was.

Q. C. H. McKee, esq., was in the room also?—A. Yes, sir.

Q. How near were you to Berger when he made this remark?—A. I should say about two or three feet. Within that distance.

Q. How near was Mr. McKee to Berger, and did Berger address his conversation exclusively to McKee?—A. I should think Berger was from four to six feet away from C. H. McKee when he made the remark. He addressed his remark to McKee, exclusively, I think.

Q. Have you given his remark as nearly exact as you are able?—A. Yes, sir; I think those were his exact words.

Q. Did McKee hear them?—A. I think he did.

Q. Were Berger and McKee laughing and joking at each other, and did you not notice that they did considerable of that, especially McKee with Berger?—A. My recollection is that McKee asked Berger some

questions regarding his politics, during his examination, and that you objected to him doing it. I think that McKee was rather amused at some of his answers. I think that McKee joked some with Berger. I don't think Berger joked at that remark. My opinion is that McKee asked Berger some questions that made Berger a little angry, and the fun usually followed his replies.

Q. Did Berger's remark strike you at the time of being sufficiently serious and important, as he made it, to deserve a special attention, and to be testified to so as to affect his credibility?—A. I should think it would. It did so strike me.

Q. When did you first speak of it to C. H. McKee, esq.?—A. Mr. McKee wrote his remark upon a slip of paper and laid it before me on the table, and asked me if I heard Berger make the remark that he (McKee) had written on the paper; that was done immediately after Berger made the remark and had left the room.

Q. Did you suggest to McKee or did McKee say anything about recalling that witness at that time before the commissioner, all parties still being present?—A. No, sir; there was nothing said on the subject.

Q. Was there anything said about allowing a witness to depart and then taking your testimony as to this remark?—A. There was nothing said about taking my testimony at that time; that is my recollection.

Q. Mr. Berger did not state on what particular point or regarding what particular facts he had told a lie?—A. No, sir.

Q. Now, do you not remember that Mr. McKee and Berger had some talk about Berger's politics, and do you not remember that in Berger's testimony he was particularly pressed by McKee as to his politics, and do you not remember that immediately after he had left the witness stand, and yet was in the room, that McKee and Berger talked lightly about Berger's politics, and was it not during that conversation that Berger told McKee he had told him a lie?—A. During the examination they had some talk as to the politics of Berger. I think that McKee asked him a couple of questions in regard to his politics which Berger did not answer satisfactorily to McKee; I do not remember that they talked any after the witness had left the stand.

Q. You have stated that Mr. McKee asked Berger a couple of questions as to his politics, and that his answer was not satisfactory to McKee; do you mean by that that Berger evaded the question, or answered indefinitely?—A. I mean that he evaded the question.

Q. In the testimony as taken for the contestant there appears in the testimony of J. Fred. Berger a question upon cross-examination by C. H. McKee, esq., as follows: "Are you a Democrat?—Yes, I am. I am a hot one." Do you term that evading the question?—A. I do not.

Q. Have you the notes of testimony taken by you for the contestee's counsel of what was sworn to by Mr. Berger?—A. I have.

Q. Will you please produce them?—A. I will; here they are.

Q. Please refer to your notes and state whether you have that question written and the answer written the same as they appear in the testimony written by the commissioner.—A. The question is the same; the answer I have is, "I am a hot one."

Q. Do you term that answer evasive?—A. No, sir.

Q. When did you first know you were to testify on this point?—A. I can't tell exactly. I think probably the same day or the next day after this occurred. I understood that I would be called to testify to this remark.

Q. From whom did you understand it?—A. I think from Charles H. McKee.

Q. Have you a distinct recollection on that point; and how did you come to understand that you would be called?—A. My recollection is clear, I think, that McKee informed me that I was to testify. I understood the remark to be of such a kind that it would be wanted in evidence.

Q. You say McKee laid a paper before you on the table about the time this remark was made by Berger; and on it he had written the remark; now do you not know that Berger was still present in the room when that was done, and that the writing was done so as not to attract his attention?

(Objected to, because the witness is not of counsel for the contestee, and could not recall the witness under any circumstances; because he cannot tell what may have been in the mind or what was the purpose of Mr. McKee who represents the contestee; because no good could result from recalling and placing again upon the witness stand, for the purpose of explanation, a man capable of stating that he had just told a lie while under oath.)

A. I do not know that Berger was still in the room when that was done. I think Berger was instructed to go into the front room to the clerk to get his pay as a witness. I think the clerk was sitting in the front room at a table with money to pay the witnesses. I do not know that the writing was done so as not to attract his attention. I think Mr. Berger had left the room at that time.

Q. Were you subpœnaed to attend here as a witness?—A. I did not have a subpœna served upon me.

Q. Were you not at the time you say you heard this remark made in the employ of the contestee, or his counsel, to write down the testimony of witnesses; have you not been since so employed, and are you not at this time so employed?—A. I was at the time the remark was made employed for contestee, and am still so employed, to write down the testimony of witnesses.

Q. Have you seen that paper written by McKee since the time he showed it to you first?—A. Yes, sir; I saw it before I came upon the witness stand to-day and I read it.

Direct examination:

Q. Being employed to take testimony in this case are you not expected to be here whether subpœnaed as a witness or not?—A. Yes, sir.

Q. Have you any explanation that you desire to make in reference to any statements made by you on cross-examination?—A. I have a statement to make with regard to my answer when I said that Berger "evaded the questions" asked by McKee. When I was asked whether McKee and Berger were joking with each other and whether Berger was pressed for an answer with regard to his politics, I meant to say that Berger got angry, and evaded answering the question. McKee asked him a couple of times, and Berger got angry and would not answer the question satisfactorily until the question was written down and he was asked to give a positive answer to the question. Some of the jocular remarks made and referred to by Mr. T. C. Hipple were not made and taken down in the testimony. That is my recollection.

Cross-examined:

Q. Did not Berger speak very broken English?—A. I don't recollect that it was very broken; he could be understood very easily. I think he did speak broken English. He was a German.

Q. Then, from your explanation, I understand you to say that these questions about which Berger got angry, and which he evaded answer-

ing, were not written down? That McKee asked him a couple of times without having the questions written down; that Berger would not answer him satisfactorily until the question was written down by the commissioner. Now do you say Berger evaded answering any question written down and put to him by the commissioner?—A. I do not say that he evaded any questions that were written down and asked by the commissioner, but I think he was pressed for the answer.

W. S. FLETCHER.

C. H. MCKEE, recalled, deposes as follows :

Question. Were you present at the examination of J. Frederick Berger, of Gallagher Township, when called and examined in this case, on the part of the contestant, before S. M. McCormick, and did you appear as attorney for contestee and cross-examine the said Berger?—Answer. Yes, sir.

Q. State if after the examination was completed and the witness was about leaving the room, whether he made a remark to you, what it was, if you took it down in writing at once, and if you have that writing or memorandum with you.

(Objected to as irrelevant. The statements that a witness made after he has testified under oath not being competent to impeach sworn testimony, unless the witness has first been called and interrogated concerning the alleged statement, and it not appearing that Frederick Berger was recalled at the time of the alleged statement, or was since called, or that any attempt was made to subpoena him.)

A. He did make a remark to me as he was about to leave the room. He says: "You are too hard on me. I know what you are after. I told you a lie." I took it down in writing immediately afterwards. I have that writing with me.

Q. Are the words which you have given as uttered by Berger the exact words taken down by you upon the paper which you have now before you, and did you at the time take them down correctly?—A. They are the exact words uttered by Berger, which I have on this paper. I took down his exact words to the best of my ability within a minute or two of the time he uttered them. At the time of taking them down, I showed them to Mr. Fletcher, and we both agreed to this being a correct statement of the words he used.

Cross-examined by T. C. HIPPLE :

Q. Was this remark made in the same room where Mr. Berger's testimony had been taken and before he left the room?—A. It was. He stood at the door about ready to pass out of the room.

Q. Were the commissioner, counsel for contestant, and Mr. Fletcher, who copied testimony for contestee, still in the room?—A. My recollection is that the commissioner and Mr. Fletcher were in the room, but that the counsel for contestant was in the other room.

Q. Did you call the attention of Mr. Berger to his remark?—A. I did not. He at once left. The remark was made after he had quit the witness stand.

Q. Did you make any effort to have him recalled at that time, so that he could speak under oath concerning said statement?—A. I did not. I did not suppose that I had power to recall a witness brought by contestant after he had once left the stand.

Q. Do you know whether or not Frederick Berger was subpoenaed in behalf of contestee to come and testify under oath concerning the meaning of said remark?—A. I do not.

Q. You have had charge of making notices to contestant of witnesses

to be examined on behalf of contestee, have you not?—A. I have made out some notices. I presume most of them.

Q. Were you ever instructed to serve a notice of Mr. Berger as a witness?—A. No, sir.

Q. Does not Mr. Berger markedly speak broken English?—A. He speaks broken English, but it is not so broken that the substance of his remarks cannot be understood.

Q. You were then and have been ever since actively operating for contestee, have you not?—A. Not actively. At different times I have aided the attorneys for the contestee at their request.

Q. Have you not as a rule, since then, had the returns of subpoenas served with names of parties reported to you, and have you not as a rule made out notice upon contestant for witnesses to be examined?—A. I can't say that I have done so as a rule. By the request of the counsel, I from time to time made out notices. I think I have made out notices for all the subpoenas that have come into my hands.

Q. Please state who, beside yourself, made out notices on contestant?—A. I can't say who, beside myself, has made out notices. I know that Mr. Fletcher, who is a student in Mr. Haney's office, has made out notices for some witnesses; that the names of some witnesses who were to be called here were sent to Bellefonte and the notices made there. My services in this case have been mostly of a clerical nature, and I have not felt the responsibility of an attorney in respect to this contest, except in a few instances, when, at the request of the counsel engaged in the case, I have appeared before the commission during the taking of testimony.

Q. Do you wish us to consider your services on behalf of the contestee as gratuitous and voluntary?—A. I don't care how you consider them. I hope that the contestee won't consider them entirely gratuitous.

C. H. McKEE.

Continued to March 29, 1879, Saturday morning.

Met Saturday morning, March 29, 1879.

H. T. Haney, esq., and Jesse Merrill, esq., appear as counsel for contestee; T. C. Hipple, esq., appears as counsel for contestant.

J. M. A. MILLER, being duly sworn, deposes as follows:

Question. State your name, age, residence and occupation.—Answer. J. M. A. Miller. I am 24 years of age. I reside in Bald Eagle Township, Clinton County, Pennsylvania. I am a farmer.

Q. Where were you born?—A. I was born in Bald Eagle Township.

Q. Have you always resided in Bald Eagle Township?—A. I have.

Q. Are you married or single?—A. Single. I reside with my father, Henderson Miller.

Q. Have you paid State and county taxes within two years previous to November 5, 1878?—A. I have to the best of my knowledge. I paid it to John Snodgrass.

Cross-examined by T. C. HIPPLE:

Q. Were you absent from home any length of time during the year 1878, prior to November 5?—A. No, sir; not over a week at the outside.

Q. Did you take a receipt for the taxes you say you paid Snodgrass?—A. I have a receipt for either 1876 or 1877 taxes, but I did not bring it along with me this morning.

Q. Where is that receipt?—A. It is at home somewhere. I could not find it this morning.

Q. State the date of the payment and the amount of money.—A. I can't give the date; the amount of the money was fifty cents.

Q. Give the date as near as you can.—A. I don't know whether I can give the true date. It was in the year 1877, I think. During that year some time.

Q. State your reasons for fixing the date in the year 1877.—A. I have no general reason any more than I pay my taxes every year.

Q. Where did you make this payment?—A. It was made at John Snodgrass's residence.

Q. In what season of the year was it?—A. I think it was during the summer season.

Q. Have you given all your reasons for fixing that payment in 1877?—A. The reasons I have is that he has no taxes against me except the 1878 taxes. I have paid all my taxes up to that year.

Q. When did you see Snodgrass, if at all, in reference to your taxes being paid up to 1878?—A. I think it was on election day, February, 1879, I saw him there. There was nothing said about taxes either way.

Q. Did you ever examine his duplicate to see whether he had any taxes against you?—A. No, sir. I did not, because I knew they were paid.

Q. Did you ever make any other payment of taxes than the time you mention of having paid him 50 cents; if so, when?—A. I paid school-taxes to the same man; he was collector of both. I cannot say that it was at the same time.

Q. When did you pay your 1876 taxes?—A. If I am not mistaken it was during 1876, or rather I think it was in 1877. I am not positive which year it was, but I think it was in 1877. A person does not generally pay taxes in the same year they are laid. My father paid those taxes for me. He pays ours both together.

Q. Did your father pay the fifty cents taxes you spoke of having been paid in 1877?—A. He did and brought me the receipt.

Q. Then your statement that you paid taxes in 1877 is meant to be that your father told you he had paid your taxes and handed you what was said to be a receipt for the same, is it not?—A. It is.

Q. You stated that this payment of taxes was in John Snodgrass's house. Do you mean to say that you were present at the time your father paid your taxes?—A. No, sir; I was not present, but my father told me he had paid at Snodgrass's house. To the best of my knowledge I think he told me that.

Q. Where did your father tell you he had paid these taxes and hand you the paper you called a receipt?—A. If I am not mistaken it was at home, about a mile and a half from John Snodgrass's house.

Q. Then if your father did not actually pay these taxes, as he said he had, you cannot say that they were paid by you in person, or that you know them to be paid, can you?—A. I can't say that I paid them in person, but I can say I know them to be paid or else he would not have had the receipt.

Q. Then his having a receipt is what makes you think your taxes are paid up, is it not?—A. It is. Further, that if they had not been paid Snodgrass would have informed me of it.

Q. Did you make any search for that receipt before coming to testify this morning?—A. I did make a search this morning. I understood that my name not being registered was the trouble.

Q. Can you state the contents of that receipt?—A. No, sir.

Q. Can you state the amount of money called for?—A. Fifty cents; my State and county tax. That is what my receipt called for.

Q. You have spoken of your father having paid school and other taxes for you; was that paid at the same time you claimed the fifty cents was paid by your father?—A. The 1876 tax was paid at the same time; but I think the school tax for 1877 was paid some time afterwards.

Q. Did you depend upon your father to pay your taxes during the years 1876 and 1877?—A. I did not just ask him to pay the taxes; he said he had paid them or would pay them, I depended on him to pay my taxes and did not give them my personal attention.

Q. Did you vote for member of Congress in Bald Eagle Township, Clinton County, at the election held November 5, 1878?—A. I did. I voted for Seth H. Yocum.

J. M. A. MILLER.

JOHN Q. DICE, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. John Q. Dice. I am 46 years of age. I reside in Wayne Township, Clinton County, Pennsylvania. I am a laborer.

Q. Are you acquainted with Peter Miller, of Wayne Township, Clinton County, Pennsylvania?—A. Yes, sir.

Q. Are you acquainted with his son, Lewis Miller?—A. Yes, sir.

Q. Do you know where Lewis Miller is?—A. The last account I had of him he was in Michigan.

Q. Did you have a conversation with Peter Miller and Lewis Miller previous to November 5, 1878, in which they told you that they were not entitled to vote at the ensuing election of November 5, 1878, they not having paid State or county taxes within two years?

(Objected to as irrelevant, the casual conversations or statements of the persons named made to a person having no authority or business to inquire of them upon this point not being the best evidence; that Peter Miller himself has been on the witness stand on behalf of the contestee and was not questioned concerning this alleged statement; that the tax collectors of Wayne Township for 1876, 1877, and 1878 were upon the witness stand on behalf of the contestee and were not questioned concerning Lewis Miller at all, although they were here with their duplicates and could have furnished the best evidence; that one of said collectors (John Simcox) admitted that Peter Miller had paid at least one $\frac{0.1}{100}$ dollars upon his taxes in the forpart of the summer of 1878, which admission was recognized by counsel for contestee in their examination of Peter Miller; that the question is indefinite in not fixing the time at which said statement should have been made.)

A. Yes, sir.

Q. Do you know that their taxes were not paid after the date of that conversation?—A. The taxes may have been paid after that. The conversation I had with them was about the last day of grace. After this conversation I went to Jacob Quiggle in reference to paying their taxes myself. Peter B. Miller's taxes on that duplicate were \$5.60 or \$6.60. Lewis Miller's name was not on his duplicate. Joseph Fredericks was to pay that tax that evening, which was not done. It was not paid.

Q. Did you see Peter Miller and Lewis Miller vote at the election of November 5, 1878, at the election district in Wayne Township, Clinton County? Did you see their tickets and for whom they voted for member of Congress?

(Objected to as irrelevant.)

A. I saw them vote at that election in said election district. I saw

both of their tickets as they voted them and as they came out of the box. I did not see them before they voted them. I was standing by the inspector. I was the only one in the room outside of the board. I was constable, and was the only one allowed in the room. They voted the whole Democratic ticket from beginning to end. They voted for Andrew G. Curtin for member of Congress.

Q. Do you know who gave them their tickets, either from what you saw or from what they told you?—A. I saw the man give them their tickets. It was John H. Chatham, the young man, old John Chatham's son.

Q. What is John H. Chatham's politics?—A. Democrat.

Q. State if during the present week John H. Chatham called upon you and entered a complaint to you in reference to the taxes of Peter B. Miller and Lewis Miller. State what day it was and what he said.

(Objected to as irrelevant.)

A. He came to me on Thursday morning, March 27, 1879. He asked me how much tax I had paid to John Simcox for Peter B. Miller. I told him that I had no money to pay anybody's taxes, and had not paid any. He said that was a "hell of a note," and left.

Cross-examined by T. C. HIPPLE:

Q. What motive had you in going to Peter B. Miller and Lewis Miller and engaging them in conversation about their taxes? Who was with you and where did you see them?—A. I never went to them. Those persons came to me and Mont. Quiggle, at Quiggle's Hall, at Wayne station.

Q. Who commenced the conversation in reference to their taxes?—A. I spoke to those fellows in reference to voting for Stewart Barker, the Republican candidate for sheriff of Clinton County, Pennsylvania.

Q. Please give the entire conversation that took place at that time?—A. Our main conversation at that time was in reference to the sheriff. I asked those fellows for whom they intended to vote for sheriff. Peter B. Miller said he had never cut his ticket, but he thought that Smith had enough of office, and he would vote for Barker. He said he was too poor to pay his taxes; unless his taxes were paid he would not come to the election. I told him that I thought his taxes could be arranged. That is about all that transpired between Mr. Miller, myself, and Mont. Quiggle until the evening of the election.

Q. Do you think you have given nearly the language used?—A. As near as I can remember.

Q. Was there anything else said by any other party on that point at that time?—A. There was no persons excepting ourselves there. There was nothing else said by the others.

Q. Then you had your talk with Peter B. Miller, had you not?—A. Yes; at that time in Quiggle's Hall, I talked with Peter B. Miller.

Q. Was it Peter B. Miller who used the language you have given?—A. Yes, sir.

Q. Then Lewis Miller and Mont. Quiggle took no part in the conversation in Quiggle's Hall?—A. Not at that time.

Q. Will you please, then, tell me why you testified in chief that you had a conversation with Peter B. Miller and Lewis Miller previous to the election of November 5, 1878, in which they (both Peter B. and Lewis) said they were not entitled to vote because they had not paid taxes within two years, when in your cross-examination you have said that your conversation was with Peter B. Miller, and that Lewis Miller took no part in it?—A. From the fact that I answered the ques-

tion in reference to Peter B. Miller. I will give my conversation with Lewis Miller. In reference to Lewis Miller, he said that his taxes stood on McKague's duplicate, and Mont. Quiggle was to see that his taxes were paid. That is about all that transpired between Lew. and me, as near as I can recollect.

Q. Please state as nearly as possible how long this was prior to October 5, 1878, and what brought you together in Quiggle's Hall.—A. If you can tell me the last day in October that a person could pay taxes and vote at the November election, I will tell you the date. Mont. Quiggle, Lewis Miller, and I were there every evening after camp-meeting until election. By Quiggle's Hall I mean Mont. Quiggle's room, our headquarters. It was the evening of the 4th of October that this conversation took place.

Q. How long after this did you go to examine the duplicate of Jacob Quiggle?—A. I went down the next morning.

Q. Whom did you see?—A. I saw Jacob Quiggle in his tobacco shed.

Q. What purpose had you in going to see him?—A. In reference to those fellows' taxes. I calculated we could make arrangements to fix their taxes. I was anxious for a vote for Stewart Barker.

Q. Did you go alone?—A. Yes, sir.

Q. What arrangements did you expect to make for the payment of their taxes?—A. I got the amount of tax against Mr. Miller and gave it to Joseph R. Fredericks, and he sent a note with me to Jacob Quiggle, stating that he would pay the taxes that evening.

Q. Did he tell you why he did not pay the taxes?—A. Yes; from the fact that in the evening, when he went over to pay the taxes, that he lacked a few cents. Therefore it was not paid.

Q. Did you go to the duplicate of John Simcox, collector of 1876, or of Thomas McKague, collector of 1878, of State and county taxes of Wayne Township, to ascertain about these men's taxes?—A. I saw all the duplicates, but I did not go that day to see them.

Q. Did you see the other duplicates since or before that time?—A. I saw them both before and since.

Q. When did you see them since?—A. I saw all the duplicates, Quiggle's, Simcox's and McKague's, between the 5th day of October, 1878, and the 1st day of December, 1878. I have not seen them since.

Q. How did you come to see them?—A. Mr. Quiggle was at my house collecting taxes. Crawford Quiggle, who was collecting the duplicate of his father, Mr. Simcox, and Mr. McKague were there with their duplicates.

Q. Then you were soliciting these men to vote against the Democratic candidate for sheriff, were you not, and did you not believe them to be Democrats?—A. I was soliciting them to vote against the Democratic candidate for sheriff. I found them out to be pure Democrats. I believed them at that time to be Democrats. I found them out to be liars afterwards.

Q. Did you mention the name of Andrew G. Curtin or Seth H. Yocum to them at that time?

(Objected to, because the question is too indefinite. The witness, in order to answer it, would be compelled to surmise who is meant by "them," and also to surmise what is meant by "that time.")

A. No, sir.

Q. Did you believe on the election-day that the taxes of these Millers had not been paid?—A. No, sir; I did not believe it. I thought they had been paid.

Q. When was it that Fredericks told you why he did not pay the

taxes to the Millers on account of lacking a few cents?—A. About the latter part of December, 1878, or the beginning of January, 1878, somewhere along there.

Continued at 12 m., to meet at 2 p. m.

Met at 2 p. m. in pursuance of continuance.

H. T. Haney, esq., appears for contestee; T. C. Hipple, esq., appears for contestant.

Witness on the stand; cross-examination resumed:

Question. Did you, on the day of the election, give to Peter B. Miller or Lewis Miller tickets which you desired them to vote?—Answer. No, sir.

Q. Did you offer them tickets?—A. No, sir.

Q. You have stated that you saw them vote. Did you make it a point to see them when they voted?—A. I did, for a fact.

Q. Did you suppose they were voting for Barker, as you had requested them to do?—A. No, sir; I did not suppose any such thing, because I was fooled before they voted.

Q. Did you make it a point to be in the room when the votes were being counted, to see, if possible, how the two Millers voted?—A. I did make it a point.

Q. Had you any doubts as to how they voted?—A. Yes, sir; I had.

Q. Regarding what particular candidate or candidates did you wish to see their tickets?—A. I never saw their tickets before they voted them. I never asked them to see their tickets. I did not want to see the name of any particular candidate.

Q. You have stated that you did "for a fact" make it a point to be present when the votes were counted, and you have stated, too, that you did not do so for the purpose of seeing how they had voted for any particular candidate. Please state why you made such an effort to see the tickets voted by these two Millers?—A. Mr. Peter Miller and Lewis Miller agreed to give me their votes for Stewart Barker for sheriff. I made such an effort from the fact that I wanted to see how the township would go.

Q. You were not a member of the election board, were you?—A. No, sir.

Q. What member of the election board allowed you to examine tickets?—A. No member allowed me, but I was constable and had access to the room.

Q. Did you handle any of the tickets?—A. I did not.

Q. Did you have the Miller tickets in your hands at all?—A. No, sir; I had not.

Q. Did any of the election board show these tickets to you?—A. No, sir.

Q. State how you came to see these tickets, and to know they were the Miller tickets?—A. It was about half past four o'clock in the afternoon when the board began to count off. It was about half past six o'clock when Peter B. Miller cast his vote. I was standing by the inspector who took in the tickets. When Peter B. Miller's vote was handed in the window, Samuel Wilson, one of the inspectors, received his vote. It was passed right over to the judge and was called off and counted. His son, Lewis Miller, next. The ticket of Lewis Miller never left the hands of the inspector till it was cried off. It never went into the box.

Q. Then neither of these tickets were actually placed in the ballot-box?—A. No, sir.

Q. Did you testify this morning in your examination-in-chief that you saw both of these men's tickets as they voted them and as they came out of the box?—A. I did not see those tickets, any more than I saw them come through the window. I did testify to that; I saw them as they came out of the box, and I say I am correct to-day; I saw them vote; I did not see their tickets before they voted; I did not say so.

Q. Then these Miller tickets were put into the box by the election officers and afterwards taken out and counted, were they not?—A. No, they were not put in the box; that was just a sham about putting into the box; they were just handed in the window and then handed to the judge and counted.

Q. Who was the judge of election?—A. David Cochran.

Q. Who were the inspectors?—A. Samuel Wilson and John H. Chatham, jr.

Q. Then you do not profess to have read these tickets, do you?—A. I profess to have read them off as the inspector called them off; I was standing alongside the inspector and read them; I was looking for Barker, and I could not see it.

Q. Did you make it a point to notice who was upon these tickets for Congress?—A. Yes, sir; Andrew G. Curtin was upon them.

Q. What are your politics?—A. Democratic.

Q. Were you favorable to the nomination and election of Andrew G. Curtin?—A. No, sir.

Q. Did you electioneer against Andrew G. Curtin?—A. No, sir; I never said a word against him.

Q. Did you not give out one or more Democratic tickets with the name of Curtin scratched or erased from it?—A. I gave one ticket with the name of Curtin erased, and that was to my son, James Dice; I erased the name of Curtin in my own ticket.

Q. Did you vote the ticket erased, or did you place another name instead of the name Curtin?—A. We voted the ticket erased. My son voted as I did.

Q. Did you not on the day of election exhibit to John H. Chatham a ticket with the name of Seth H. Yocum upon it for Congress, and did you not tell him that was the ticket you were going to vote?—A. No, sir; I did no such thing; I showed my ticket to John Simcox; I voted at half past twelve o'clock; my number was ninety-six; I erased the name of Curtin, and did not vote for Yocum.

Q. Did you vote for anybody for member of Congress?—A. No, sir.

Q. Did you, within two weeks, or thereabouts, about the time when a number of witnesses were here from Wayne Township on behalf of the contestee, have a conversation with the Hon. L. A. Mackey and W. A. Simpson, in Lock Haven, in which you stated to Mr. Mackey that you and your son and Adam Dice had all voted for Mr. Mackey for Congress November 5, 1878, and that you wanted to find out why those three votes had not been counted and returned?—A. I don't recollect of any such conversation.

Q. Have you not, since this contest commenced, engaged actively in hunting witnesses and gathering information in behalf of the contestee?—A. I answer that emphatically, no.

Q. Do you know how it became known to the counsel for the contestee that you had had conversations with Peter B. and Lewis Miller, and that you had seen their tickets, and the other points you have testified to?—A. I can't answer that question, therefore I won't; if I knew it I would tell it.

Q. Did any one vote after the Millers voted that evening?—A. Yes, sir; I think there was some sixteen votes polled after that.

Q. Were all the other votes that came in after Miller's treated the same way that you say Miller's were?—A. On the same principle; I think John Young was the last voter; in counting off they had more than three or four in the box.

Q. Then they did not at any time have the box empty of votes?—A. No, sir; they did not.

Q. Two names appear upon the poll-list from Wayne Township, one "J. Q. Dice," the other "James Q. Dice." Is either intended for you; if so, which?—A. James Q. Dice is my son; J. Q. Dice is my own name.

Q. Did the polls open in the morning at the regular time on November 5, 1878?—A. I opened the polls at 10 minutes after 7 o'clock in the morning; no voters there at that time; closed them at 7 o'clock in the evening.

Q. Did the voters commence voting at once?—A. Yes, sir.

Direct examination by H. T. HANEY, Esq.:

Q. Was the box open, and were they counting at the time Peter B. Miller and Lewis Miller voted?—A. Yes, sir; they were counting out; the box was open.

Q. Did the inspector put his hand into the box, holding these tickets, without dropping them into the box?—A. Yes, sir.

Q. Where was the election in Wayne Township held?—A. At Wayne Hotel.

Q. What is the regular place for holding the election in Wayne Township, and how far is it from the hotel?

(Objected to because in the charges and specifications of contestee there is nothing as to the election being irregularly held in Wayne Township or that it was not held at the right place.)

A. Wayne school-house; it is 254 rods from the hotel.

Cross-examined:

Q. How long have the elections been held at Wayne Hotel?—A. The spring election of 1878 was the first election held there.

Q. Do you not know that the place of holding the elections have been changed from the school-house by a vote of the people taken, and that a petition was presented to the court asking the change?—A. Yes, sir; but the court never confirmed it; the sheriff advertised for the school-house.

Q. Do you not know that the general election of 1877 was held at the same place as that of 1878?—A. It was held at the Wayne school-house.

JOHN Q. DICE.

WALTER S. CHATHAM, being duly sworn, deposes as follows:

Question. State your name, age, residence, and occupation.—Answer. Walter S. Chatham; I am 43 years of age; I reside in Lock Haven, Clinton County, Pennsylvania; I am a printer by trade.

Q. Have you been employed in subpoenaing witnesses on part of contestee in these proceedings?—A. Yes, sir.

Q. Are you acquainted with A. C. Chatham and Samuel Wentzel, of Crawford Township?—A. Yes, sir.

Q. Did you have a conversation with Samuel Wenzel at any time since November 5, 1878; and if so, what did he say to you about his having voted for member of Congress, and about his not having paid State or county taxes?

(Objected to because the casual statements of a party as to how he voted are irrelevant and in nowise competent to establish the fact of

his having voted for any particular candidate, they not being the best evidence.)

A. I did have a conversation with him; he told me he voted for Andrew G. Curtin for Congress; and as regards taxes, he told me he had not paid any taxes; that he had dealings with the tax collector.

Q. What did he say, if anything, as to the time within which he had paid State or county taxes?

(Objected to for same reason as above.)

A. He told me that the last tax he had paid to the tax-collector was in 1875.

Q. Did you have a conversation with A. C. Chatham, in which he told you for whom he had voted for member of Congress; and if so, for whom did he say he voted?

(Objected to as irrelevant and merely a casual statement of a party to another who had no authority or right to inquire, and whom A. C. Chatham was under no obligations to answer either at all or correctly; that the said A. C. Chatham was himself before the commissioner yesterday, but was not called as a witness on account of proper notice not having been given to contestant's counsel; that the best evidence on that point would have been from A. C. Chatham himself, and the contestee was bound to due care and diligence to obtain the best evidence.)

A. I did have a conversation with him, and he told me he had voted for Andrew G. Curtin for member of Congress.

(Notary is requested by H. T. Haney, esq., attorney for contestee, to note that the evidence offered is the best under the circumstances that it is possible to introduce; that the failure to give notice to contestant's counsel was not discovered until the witness was called to the witness-stand with thirty-six hours of the time when contestee's time for taking testimony would expire.

Counsel for contestant objects to commissioner making any such note, for the reason that the commissioner cannot tell whether this is the best evidence or not, nor can he tell when the failure to notify contestant's counsel of A. C. Chatham was first discovered.)

Cross-examined by T. C. HIPPLE, Esq.:

Q. Since what time have you been employed on behalf of contestee?

—A. Since February 22, 1879.

Q. Have you not been engaged actively in behalf of contestee ever since a long time prior to February 22, 1879, in the examining of office papers, registry and poll-lists, &c., and traveling through Clinton County on business pertaining to the contest on behalf of the contestee? If so, state when you first began to work on behalf of the contestee.—A. I can't tell exactly at this time, but I think it was some time the latter part of December, 1878, or in the beginning of January, 1879; I have been engaged actively in examining office papers, registry and poll-lists, &c., on behalf of contestee.

Q. When did you have this conversation with Wenzel?—A. On the 8th day of March, 1879, at his house in Crawford Township.

Q. Did not Wenzel claim that his taxes were paid or discharged within two years before November 5, 1878, through dealings he had with the tax-collector?—A. He said that he had dealings with the tax-collector; that is all he said.

Q. Did you not understand him then to mean only that he had not paid actual money for his taxes?—A. He just told me that the last tax he had paid was in 1875. He said that he had had dealings with the tax collector and had not had a settlement with him.

Q. Did you not understand him then to claim that he had such dealings with the tax-collector as would pay his taxes?—A. I could only infer that from his remark.

Q. Were you instructed by the counsel for the contestee to inquire especially concerning how persons whom you subpoenaed had voted, or whether they had paid taxes?—A. I was.

Q. When did Alfred Chatham tell you he had voted for Andrew G. Curtin?—A. On the evening of March 7, 1879, at his own house.

Q. You made your inquiries for the same reason that you inquired of Wenzel and other parties?—A. Yes, sir.

Q. You have no positive means of knowing whether they told you the truth or not, have you?—A. No, sir.

Direct examination :

Q. Where do A. C. Chatham and Samuel Wentz live?—A. In Crawford Township, Clinton County, Pennsylvania.

WALTER S. CHATHAM.

JOHN SWEEZEY, being duly sworn, deposes as follows :

Question. State your name, age, residence, and occupation.—Answer. John Sweezy ; I am thirty-five years of age ; I reside at present in Gallagher Township, Clinton County, Pennsylvania ; I lived in the Fourth ward of the city of Lock Haven on November 5, 1878 ; I am a tanner.

Q. Where was your family on November 5, 1878?—A. In Lock Haven, Pennsylvania.

Q. Had your family been in the fourth ward of the city of Lock Haven all of the time during the summer and fall of 1878, previous to November 5, 1878?—A. Yes, sir ; they had.

Q. Were you a housekeeper in the fourth ward of the city of Lock Haven?—A. We kept house ; yes, sir.

Q. Who did you keep house with?—A. With my wife and family.

Q. Do you say now, under oath, that you and your wife staid in Lock Haven, and that you kept a house where you and your wife lived all of the time during the year 1878, up to November 5, 1878?

(Objected to as covering a longer period than sixty days previous to November 5, 1878.)

A. I do. I moved that afternoon of the 5th of November, 1878, at about 4 o'clock ; I started to move at that time. I voted before I started. I voted the straight Democratic ticket that day.

Cross-examined :

Q. Did you know any other person in the fourth ward of Lock Haven than yourself by the name of "John Sweeze," or "John Sweezy"?—A. I did not.

JOHN SWEEZEY.

M. C. LINGLE, being duly affirmed, deposes as follows :

Question. State your name, age, residence, and occupation.—Answer. M. C. Lingle. I am twenty-four years of age. I reside in the first ward of the city of Lock Haven, Pennsylvania. I am an attorney at law.

Q. Are you acquainted with Lewis K. Brown, of the fourth ward of the city of Lock Haven, Pennsylvania?—A. Yes, sir.

Q. What is his politics?

(Objected to as irrelevant.)

A. I can't say positively, but I think he is a Democrat.

Q. State if you subpoenaed him to be present here and testify in these

proceedings; and, if so, when you subpœnaed him.—A. I subpœnaed him on the 24th day of March, 1879, at the house of his sister, Mrs. Beyer, in the fourth ward of the city of Lock Haven, Pennsylvania. I subpœnaed him for the 29th March, 1879.

Q. At the time you were requested to subpœna him were you furnished with a memorandum or statement by contestee's counsel of what they expected to prove by him?

(Objected to as irrelevant.)

A. I can't say that I was, exactly. I was given a memorandum containing a list of non-registered voters with instructions to subpœna them and ascertain how they voted.

Q. Look at this memorandum and state whether this is the memorandum you had.—A. Yes, sir; it is.

Q. Is it in your handwriting?—A. Yes, sir.

Q. State what you have entered on that memorandum opposite the name of Lewis K. Brown.

(Objected to as irrelevant, as showing merely the memorandum made by the agent of the contestee in advance of serving of subpœna, and showing only the supposed facts about said individuals, and as containing alleged evidence of a fact that could have been easily proved by the tax-collectors of Lock Haven, none of whom were called by the contestee, which collectors could have furnished the best evidence on the point.)

A. "Paid tax to Beck a few days before the election."

Q. Do you know Joseph Yearick and Winslow Poorman and C. F. Earon?—A. Yes, sir; the first two (Joseph Yearick and Winslow Poorman) live in the first ward of the city of Lock Haven, and C. F. Earon lives in Colebrook Township, Clinton County, Pennsylvania.

Q. State if you had a conversation with each of these persons, and did they tell you that they had voted on the 5th day of November, 1878, and how they had voted?—A. I can't answer that directly. They gave different answers. Joseph Yearick told me he always voted the Democratic ticket; Winslow Poorman told me he had voted for Curtin; C. F. Earon said he was a Democrat.

Cross-examined:

Q. These questions were asked of the individuals to whom you have referred in pursuance of your instructions from the counsel for the contestee that you should question the parties and find out how they had voted and so on?—A. I can't say that I was requested to ask the parties directly, but to ascertain in some manner or other how they voted, so as to subpœna them or not as would be necessary in regard to the time for subpœnaing the witness. I subpœnaed C. F. Earon because I had the five days' time to give notice to contestant. In the other two cases it was too late to subpœna them.

M. C. LINGLE.

STATE OF PENNSYLVANIA,

County of Clinton, ss:

I, S. M. McCormick, a notary public in and for said State and county, before whom the depositions of the above-named witnesses were taken, do certify that the said witnesses were duly qualified and examined at the times and places stated in the caption to these depositions, and subscribed their depositions in my presence, and that the questions, objections, and answers in said depositions were taken down by me correctly and truly as they fell from the lips of the respective counsel and witnesses.

And I do further certify that the erasures and interlineations made therein and particularly set forth on pages 259, 260, 261, 262, 263, 264, 265, 266, 267, and 268, were made by me on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this —— day of April, A. D. 1879.

[SEAL.]

S. M. McCORMICK,
Notary Public.

Erasures and interlineations.

The words "council" and "the borough of" interlined in line 20, page 1.

The words "the copy hereto attached" interlined in line 25, page 2.

The word "said" erased in line 29, page 3.

The word "that" interlined in line 18, page 4.

The words "by the court of quarter sessions of Clinton County" interlined in line 20, page 4.

The word "general" interlined in line 21, page 4.

The word "has" erased in line 27, page 4.

The words "filed in the court of quarter sessions of Clinton County" erased in line 12, page 7.

The words "given to" interlined in line 8, page 8.

The words "you spoke to him in this office" interlined between the lines 29 and 30, page 8.

The words "have illegally voted" erased, and "lack any of the qualifications" interlined in lines 12 and 13, page 10.

The words "I think that name" interlined in line 20, page 10.

The words "his own witness" interlined between lines 29 and 30, page 10.

The words "and mothers" interlined in line 13, page 11.

The word "delegate" interlined in line 26, page 11.

The words "to you" interlined in line 8, page 12.

The words "residence and" in line 27, "I live in a place called" in lines 28 and 29, erased, page 13.

The words "adjournment and" interlined in line 23, page 17.

The word "exhibit" erased in line 24, page 17.

The words "offer to" interlined in line 2, page 18.

The words "and, if so, did you vote for member of Congress; and, if so, for whom did you vote?" erased in lines 5 and 6, page 18.

The word "were" interlined in line 25, page 18.

The word "real" erased in line 6, page 20.

The words "the witness" erased, and "his name" interlined in line 22, page 20.

The word "1878" interlined in line 10, page 23.

The words "for the general election" interlined in line 3, page 24.

The words "as to" interlined in line 11, page 24.

The words "counsel for contestee" interlined in line 3, page 26.

The word "age" erased in line 6, page 26.

The words "on November 5, 1878" interlined in line 27, page 26.

The words "township, by the regular assessor of the township," interlined between lines 27 and 28, page 26.

The words "and when" interlined in line 19, page 27.

The words "how many and in what issues" erased in line 17, page 29.

The words "marked Exhibit No. 6" erased in line 22, page 29.

- The words "to the offer" interlined in line 28, page 29.
- The words "copy of the Clinton De" erased in line 9, page 30.
- The words "of September 26, 1878" interlined in line 19, page 30.
- The words "copy of" interlined in line 6, page 32.
- The words "do" and "marked" erased in line 19, page 34.
- The word "and" interlined in line 15, page 35.
- The word "the" interlined in line 19, page 35.
- The word "paper" erased, and "a" interlined in line 20, page 35.
- The words "who ope" erased in line 5, page 39.
- The words "of this paper" interlined in line 1, page 40.
- The word "unless" erased and "because" interlined in line 4, page 42.
- The words "Geo. A. Brown, esq." interlined in line 6, page 44.
- The words "how old were" erased in line 17, page 45.
- The word "the" erased and "there a written or printed" and "person" interlined in line 24, page 45.
- The words "was this other tax" erased in line 18, page 47.
- The word "November" erased and "October" interlined in line 8, page 48.
- The word "personal" erased in line 30, page 48.
- The word "nineteen" interlined in line 1, page 50.
- The word "it" interlined in line 3, page 53.
- The word "sworn" erased in line 24, page 53.
- The words "offer to" interlined in line 12, page 54.
- The word "along" erased and "on" interlined in line 30, page 54.
- The words "-in-law" interlined in line 11, page 55.
- The word "tax" erased in line 6, page 56.
- The words "Wm. Rice" interlined in line 19, page 56.
- The words "as exonerated" interlined in line 28, page 59.
- The word "make" erased in line 7, page 63.
- The word "where" erased and "I think" interlined in line 4, page 65.
- The word "any" erased and "county" interlined in line 12, page 65.
- The word "—" erased and "county" interlined in line 30, page 65.
- The words "about it" interlined in line 26, page 66.
- The word "Allison" erased and "Bald Eagle" interlined in line 9, page 69.
- The words "did you" erased in line 18, page 70.
- The words "did you offer to vote" erased and "Please state whether" interlined in line 11, page 73.
- The word "and" interlined in line 17, page 73.
- The words "receipt co" erased in line 23, page 73.
- The words "to the foregoing cross-examination" interlined in line 29, page 74.
- The words "State and county" interlined in line 24, page 76.
- The words "in Wayne Township" interlined between the lines 20 and 21, page 77.
- The word "have" erased in line 3, page 81.
- The words "Andrew G." interlined in line 15, page 81.
- The word "Will" erased in line 28, page 81.
- The words "to state the" erased and "that. It" interlined in line 3, page 82.
- The words "I can't" erased in line 13, page 82.
- The words "State and county" interlined in line 25, page 82.
- The word "the" interlined in line 13, page 83.
- The word "made" interlined in line 21, page 83.
- The words "or the" interlined in line 11, page 84.

The word "Novem" erased and "November" interlined in line 18, page 84.

The words "and that he knew" erased in line 21, page 84.

The word "that" erased in line 24, page 84.

The word "full" erased in line 13, page 85.

The words "I say" erased in line 9, page 86.

The words "Was it not" interlined in line 12, page 86.

The words "State and county" interlined in line 6, page 87.

The words "for the year 1877" erased in lines 6 and 7, page 87.

The word "what" interlined in line 15, page 87.

The word "a" interlined in line 16, page 87.

The words "I was" erased in line 20, page 87.

The words "It was one of those days" interlined in line 9, page 94.

The words "We were in" erased in line 23, page 94.

The words "before you had this conversation with Chatham and Hoagland" interlined between the lines 25 and 26, page 95.

The word "asked" interlined in line 30, page 95.

The words "the money to pay the" erased in line 27, page 97.

The words "State and county" interlined in line 18, page 101.

The words "Did you pay State or county taxes?" erased in line 6, page 102.

The word "from" erased and "signed by" interlined in line 24, page 104.

The word "or" interlined and "and" erased in line 19, page 105.

The word "ticket" interlined in line 24, page 105.

The words "or any money" interlined in line 13, page 106.

The word "some" erased and "fifty cents' worth of" interlined in line 20, page 106.

The words "I gave him some chop and some flour, I think" interlined in line 27, page 106.

The word "with" interlined in line 8, page 111.

The words "about 6" erased and "between 4 and 5" interlined in line 11, page 112.

The words "then I also" erased in lines 14 and 15, page 112.

The word "if" erased and "that" interlined in line 8, page 113.

The words "I asked her if she would consent to my taking" erased in lines 24 and 25, page 113.

The words "the name Add. McLean" erased and "Then I read the subpoena to her" and "the words" interlined in line 25, page 113.

The word "that" interlined in line 5, page 116.

The words "During the time I was present she talked some with Mrs. McLain, in German, when Mrs." erased and "Both her English was broken and her German was broken too, so that I understood a part of it" interlined in lines 28 and 29, page 116.

The word "—" erased and "handed" interlined in line 14, page 117.

The word "list" interlined in line 30, page 117.

The word "taxes" interlined in line 20, page 119.

The words "and George W. Sheadle" interlined in line 14, page 120.

The words "is of the opinion that he is" interlined in line 7, page 121.

The words "I do not" erased in line 8, page 121.

The word "decline" erased in line 10, page 121.

The word "hon" interlined in line 16, page 122.

The words "Why did you not" erased and "the last above-named" interlined in line 11, page 124.

The word "called" erased and "clerk" interlined in line 20, page 127.

The words "for the" erased in line 26, page 127.

The words "is a" erased and "ville Borough" and "contains" interlined in line 5, page 129.

The words "assisted you in making" erased and "made" interlined in line 17, page 129.

The word "last" erased in line 8, page 130.

The words "made about" erased and "commenced" interlined in line 9, page 130.

The words "in Clinton County" interlined in line 11, page 133.

The words "It was" erased in line 19, page 135.

The words "Emanuel Huber" erased in line 18, page 133.

The word "here" interlined in line 22, page 135.

The word "that" erased in line 1, page 136.

The words "road tax" interlined in line 4, page 136.

The words "a credit of the" interlined in line 7, page 136.

The words "State and county" interlined in line 11, page 136.

The word "is" erased and "are" interlined in line 27, page 136.

The words "for 1877" interlined in line 6, page 137.

The words "for 1877" interlined in line 15, page 137.

The words "taxes for either" erased in line 20, page 137.

The words "taxes for" erased in line 28, page 137.

The words "this payment both told me that Joseph Klecken was responsible for the payment of this tax" interlined between lines 14 and 15, page 138.

The word "Joseph" erased in line 28, page 139.

The word "County" interlined in line 24, page 140.

The word "you" interlined in line 9, page 141.

The word "County" interlined in line 19, page 142.

The word "Borough" erased in line 13, page 143.

The words "of 1878" interlined in line 20, page 143.

The word "of" erased in line 9, page 144.

The word "your" erased and "my" interlined in line 15, page 145.

The word "election" interlined in line 26, page 145.

The words "and by whom" erased in line 3, page 149.

The words "on the extra assessment" interlined in line 24, page 150.

The words "H. T. Hany, esq., counsel for contestee, further objects to the" erased and "Do you know anything more about the payment of Victor?" interlined in line 30, page 150.

The words "the duplicate containing" erased in line 12, page 151.

The word "name" erased and "amount" interlined in line 13, page 151.

The word "cents" interlined in line 19, page 151.

The word "taxes" erased in line 19, page 152.

The word "and" erased and "containing charges" interlined in line 7, page 153.

The "—" erased and "gave no" inserted in line 18, page 153.

The word "October" interlined in line 19, page 153.

The word "County" interlined in line 21, page 153.

The words "State and county" interlined in line 21, page 154.

The word "the" interlined in line 9, page 156.

The words "Wm. H." erased in line 21, page 156.

The word "—" erased and "and" interlined in line 29, page 156.

The word "pigs" interlined in line 26, page 157.

The word "shortly" interlined in line 27, page 157.

The word "and" erased and "Peter Miller, Joseph McKague and Cornelius McKague" interlined in line 30, page 160.

The word "names" erased and "taxes" interlined in line 14, page 161.

The word "taxes" erased and "names" interlined in line 17, page 161.

The word "He" erased and "Hoagland" interlined in line 24, page 161.

The words "No, sir," "was" erased and "were" interlined in line 28, page 161.

The word "unless" erased in line 6, page 162.

The word "order" erased in line 13, page 162.

The words "which money you have ever since" erased in line 26, page 162.

The words "No, sir; I do not state that I" erased in line 4, page 163.

The words "sure they paid it after" erased between the lines 2 and 3, page 169.

The words "sure I received it after October 5, 1878" interlined between the lines 2 and 3, page 169.

The word "when" erased in line 20, page 169.

The words "Jacob A. Klein" interlined in line 1, page 170.

The words "State and county" interlined in line 16, page 170.

The words "Clinton County, Pennsylvania" interlined in line 27, page 170.

The word "to" erased in line 15, page 171.

The words "Do you not know" erased in line 23, page 171.

The word "Borough" interlined in line 13, page 172.

The words "the place where" interlined in line 18, page 172.

The words "Have you an" erased in line 21, page 173.

The words "house of" erased in line 23, page 173.

The words "above mentioned, No. 46, May session, 1876" interlined in line 8, page 174.

The words "and State" erased in line 8, page 174.

The words "for the" erased in line 22, page 174.

The word "to" erased in line 10, page 175.

The "—" erased and "been so" inserted in line 10, page 175.

The word "him" interlined in line 30, page 176.

The word "so" interlined in line 1, page 180.

The words "should not be allowed" erased and "in general terms are not" interlined in line 10, page 180.

The word "and" erased in line 15, page 180.

The words "in September" erased in line 17, page 180.

The word "did" erased in line 13, page 181.

The words "legal qualification of a voter" interlined between lines 29 and 30, page 181.

"D. E. Ludwig" erased his name on 2nd line, page 182, and signed his testimony again on 3d line, page 182.

The words "then" and "now" interlined on line 18, page 184.

The word "home" interlined on line 26, page 184.

The words "Yes, sir" erased on line 20, page 185.

The word "is" interlined on line 24, page 185.

The objection between 29th and 30th lines, page 185, interlined.

The words "when no" erased and "in the absence of an" interlined on line 16, page 186.

The word "say" erased on line 19, page 186.

The word "him" interlined on line 28, page 186.

The word "still" interlined on line 25, page 187.

The words "to remember it" interlined on line 4, page 188.

The words "Wm. R. Goodman, in Logansville Borough," interlined between lines 15 and 16, page 188.

The words "Did you offer to vote at the election" erased on line 23, page 188.

The words "if so, to whom, when, and how much" erased on line 25, page 188.

The words "Did you offer to vote" erased on line 1, page 189.

The word "when" interlined on line 2, page 189.

Objection interlined between the lines 21 and 22, page 189.

Objection interlined between the lines 12 and 13, page 190.

The words "without objection" interlined in line 8, page 191.

The words "and mother" interlined in line 22, page 191.

The words "to the 1st ward of Lock Haven" interlined in line 13, page 193.

The words "State and" erased in line 16, page 193.

The "—" erased and "exactly" interlined in line 20, page 195.

The word "at" erased in line 22, page 195.

The word "not" interlined in line 27, page 195.

The word "money" erased in line 30, page 195.

The words "This fall a year" erased in line 8, page 196.

The words "it" erased and "county tax" interlined in line 4, page 200.

The word "county" interlined in line 5, page 200.

The words "I think" interlined in line 6, page 202.

The word "Philip" erased in line 17, page 202.

The word "in" erased in line 18, page 202.

The words "other than" erased in line 1, page 211.

The words "for the" erased in line 11, page 211.

The words "I was going to say" interlined in line 3, page 213.

The word "did" erased in line 26, page 213.

The word "a" interlined in line 27, page 213.

The words "or tax-collector" interlined in line 26, page 214.

The words "that I intended" erased and "the election of November 5, 1878" interlined in line 1, page 218.

The words "That is all" erased in lines 2 and 3, page 218.

The words "I de" erased in line 19, page 218.

The words "and ab" erased in line 9, page 220.

The words "much of that" erased and "long previous to" interlined in line 30, page 223.

The words "Clinton County, Pa." interlined in line 17, page 224.

The words "without objection" interlined in line 23, page 224.

The word "conversation" erased and "remark" interlined in line 20, page 225.

The words "I should say" interlined in line 6, page 226.

The word "particular" interlined in lines 16 and 17, page 227.

The word "he" erased and "McKee" interlined in line 24, page 227.

The word "done" interlined in line 12, page 229.

The word "think" erased and "know" interlined in line 27, page 229.

The word "for" erased in line 29, page 229.

The word "say" interlined in line 16, page 231.

The words "at that time" interlined in line 11, page 233.

The word "markedly" interlined in line 29, page 233.

The word "have" erased in line 6, page 234.

The word "of" erased in line 9, page 234.

The word "saw" interlined in line 20, page 236.

The word "there" interlined in line 21, page 236.

The words "I got" erased and "he" and "had" interlined in line 27, page 237.

The words "his" and "your" interlined in line 29, page 237.

The words "the" erased and "my" interlined in line 6, page 238.

The words "called for" interlined between lines 10 and 11, page 238.

The word "came" erased in line 16, page 240.

The words "these" erased and "those" interlined in line 13, page 241.

The word "would" erased and "had" interlined in line 22, page 241.

The word "had" erased in line 10, page 242.

The word "Lewis" interlined in line 1, page 243.

The words "candidate for" interlined in line 11, page 244.

The word "did" erased and "were" interlined in line 11, page 244.

The words "or since" erased in line 18, page 244.

The word "Regarding" interlined and "in" erased in line 23, page 245.

The words "one of" interlined in line 23, page 246.

The word "over" interlined in line 24, page 246.

The words "I did. Those" erased in line 4, page 247.

The words "I saw them as they came out of the box" interlined in line 5, page 247.

The words "there" erased and "Curtin" interlined in line 24, page 247.

The word "partly" erased in line 2, page 248.

The word "at" erased and "election" interlined in line 16, page 250.

The word "General" interlined in line 23, page 250.

The words "for Congress. And as regards taxes" interlined in line 21, page 251.

The word "do" erased in line 2, page 252.

The word "John" interlined in line 6, page 255.

The words "and C. F. Earon" interlined between lines 19 and 20, page 256.

The words "they had told you" erased in line 24, page 256.

The word "to" interlined in line 2, page 257.

Exhibits offered in evidence on part of the contestee.

Exhibit No. 1, being a certified copy of the minutes of the borough council of Mill Hall, of September 3, 1878, containing the petition of citizens of Bald Eagle Township, praying for admission into the borough of Mill Hall, p. 3.

Exhibit No. 2, being certified copy of ordinance of the borough of Mill Hall, passed by said borough on September 3, 1878, annexing the territory therein described to said borough, p. 3.

Exhibit No. 3, being certified copy of petition, ordinance, and plan of that part of Bald Eagle Township annexed and made part of the borough of Mill Hall, Clinton County, Pennsylvania, as filed in the court of quarter sessions of Clinton County on September 11, 1878, p. 4.

Exhibit No. 3½, being a certified copy of an ordinance of the borough council of Mill Hall, approved January 7, 1879, repealing the ordinance of September 3, 1878 (said exhibit No. 3½ being offered by T. C. Hipple, esq., counsel for contestant), p. 6.

Exhibit No. 4, being a certified copy of the oaths of election officers, poll-list, affidavits of voters for the election held on the first Tuesday of November, A. D. 1878, in the election district of Woodward Township, Clinton County, Pennsylvania, and also of an abstract of the triplicate

election return sheet of said township so far as it relates to the votes cast for member of Congress, p. 23.

Exhibit No. 5, being a certified copy of the oaths of election officers, poll-list, and triplicate election return sheet (so far as it relates to the votes cast for member of Congress) for the election held the first Tuesday of November, A. D. 1878, in the election district of Dunstable Township, Clinton County, Pennsylvania, p. 24.

Exhibit No. 6, being copy of borough ordinance of the borough of Mill Hall, approved September 3, 1878, as published in the Clinton Democrat of September 19, 1878, providing for the annexation of a portion of Bald Eagle Township to the borough of Mill Hall, p. 29.

Exhibit No. 7, being copy of proclamation of John Candor, high sheriff of Clinton County, as published in the Clinton Democrat of September 26, 1878, providing for the election of Tuesday the 5th day of November, 1878, in the several election districts of Clinton County, Pennsylvania, p. 30.

Exhibit No. 8, being copy of ordinance of borough of Mill Hall, approved September 3, 1878, providing for the annexation of a portion of the Bald Eagle Township to the borough of Mill Hall, as published in the Clinton Republican of September 25, 1878, p. 32.

Exhibit No. 9, being a copy of proclamation of John Candor, high sheriff of Clinton County, as published in the Clinton Republican of September 25, 1878, providing for the holding of the election of Tuesday the 5th day of November, A. D. 1878, in the several election districts of Clinton County, Pennsylvania, p. 32.

Exhibit No. 10, being certified copy of the poll list, affidavit of voters, oaths of election officers, and triplicate election return sheet (so far as it relates to the votes cast for member of Congress) for the election district of the borough of Renovo, in said county, p. 124.

Exhibit No. 11, being certified copy of the poll list, affidavits of voters, oaths of election officers, and triplicate election return sheet (so far as it relates to and shows the votes cast for member of Congress) for the election held the first Tuesday of November, 1878, in the election district of Chapman Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 12, being a certified copy of the poll-list, affidavits of voters, oaths of election officers, and triplicate election return sheet (so far as it relates to and shows the votes cast for member of Congress) for the election held the first Tuesday of November, 1878, in the election district of Beech Creek Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 13, being a certified copy of the poll list, affidavits of voters, oaths of election officers, and triplicate election return sheet (so far as it relates to the votes cast for member of Congress) for the election held the first Tuesday of November, 1878, in the election district of Gallauher Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 14, being a certified copy of the poll-list, affidavits of voters, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, 1878, in the election district of Wayne Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 15, being a certified copy of the poll-list, affidavits of voters, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, 1878, in the election district of the fourth ward of the city of Lock Haven, Clinton County, Pennsylvania, p. 124.

Exhibit No. 16, being a certified copy of the poll-list, affidavits of

voters, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Noyes Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 17, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Grugan Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 18, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Castanea Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 19, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Logan Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 20, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Crawford Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 21, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Greene Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 22, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of Pine Creek Township, Clinton County, Pennsylvania, p. 124.

Exhibit No. 23, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of the second ward of the city of Lock Haven, Clinton County, Pennsylvania, p. 124.

Exhibit No. 24, being a certified copy of the poll-list, oaths of election officers, and triplicate election-return sheet (so far as it relates to and shows the votes cast for member of Congress), for the election held the first Tuesday of November, A. D. 1878, in the election district of the borough of Logansville, Clinton County, Pennsylvania, p. 124.

Exhibit No. 25, being and containing certified copies of the registry-lists of Beech Creek Township, Pine Creek Township, Noyes Township, and Logansville Borough, all in Clinton County, Pennsylvania, p. 129.

Exhibit No. 26, being and containing certified copies of the registry-lists of Chapman Township, Crawford Township, Gallauher Township, and Greene Township, all in Clinton County, Pennsylvania, p. 129.

Exhibit No. 27, being and containing certified copies of the registry-lists of Castanea Township, Dunstable Township, Wayne Township, Woodward Township, and Grugan Township, all in Clinton County, Pennsylvania, p. 129.

Exhibit No. 28, being and containing certified copies of the registry-lists of the second ward of the city of Lock Haven, and the fourth ward of the city of Lock Haven, both in Clinton County, Pennsylvania, p. 129.

Exhibit No. 29, being a certified copy of the registry-list of Logan Township, Clinton County, Pennsylvania, p. 129.

Exhibit No. 30, being a certified copy of the registry-list of Renovo Borough, Clinton County, Pennsylvania, p. 129.

Exhibit No. 31, being a translation of the "Taufschein," produced on part of contestee, and referred to by James T. Brown (p. 34) and by Chas. H. McKee, esq. (p. 113), p. 220.

STATE OF PENNSYLVANIA,

County of Clinton, ss :

I, S. M. McCormick, a notary public in and for said county and State, do hereby certify that the above is a correct statement of the exhibits that were offered in evidence on the part of the contestee, and that the said exhibits are attached by me to the testimony taken of the contestee.

Witness my hand and notarial seal this 17th day of April, A. D. 1879.

[SEAL.]

S. M. McCORMICK,

Notary Public.

EXHIBIT 1.

MILL HALL, *Sep. 3, 1878.*

The council met at their usual place of meeting; members present, Jas. Hickoff, Burg, Lewellyn, Wolf, Tevling, & Rosser. Council was called to order by the burgess, and minutes of the last regular meeting was read and approved.

The committee on board walks reported that they had bought what plank they would need from T. R. Mann, at \$20 *dollars* a thousand, board measure, delivered on the ground where wanted, and what are not fit to go in the walks are to be refused at his expence.

Mr. C. R. Gearheart and Wm. McCormick, being present, presented a pertition of the citizens of Bald Eagle Township. The following is a copy of the pertition:

To the honourable the cheif burgess and town council of the borough of Mill Hall:

That whereas your petitioners, now citizens of the township of Bald Eagl, being freehold propriety holders, would respectfully represent that owing to the inconvenicent of school in the winter season and the inclemancy of the weather, that some of the children are small and unable at times to attend school in the district, and further believing that it will reduce the burthen of tax now assestd upon the citizens of the present borough and upon thoes now asking to be admitted into inco'porated district of the borough of Mill Hall, your petitioners therefore represent that agreeable to a decision of the suprem' court of Pennsylvania, by theair honour' Thompson, Strong, Agnew, & Reed, No. 56 Pennsylv. Report, pag. 163 & 164, based upon an act of assembly of April 3, 1851, setting fourth that where there are twenty freehold property holders residing uppon the ter'itory asking to come or be admit'ed into a borough already incorporated, that the burgess and council at their regular stated meeting may admit such person and ter'itory into their inco'porated bounds as a part of said borough.

Your pertitioners therefore pray that your honourable body would consider their pertition for admission agreeable to a draft hereto annexed

with the meet's and bounds fully layd down, and your petitioners will ever pray, &co.

Geo. S. Garth.	James Flanagan.
Robert Mann.	W. B. Cook.
W. A. Masden.	William Cridler.
Wilson Elder.	Frances Platt.
A. H. Best, pres. of Bald Eagle	George W. Barrett.
Nitary Tu'npike.	John Keener.
S. A. McCormick.	A. L. Blint.
Charlotte Bressler.	Sam'l Harris.
Huston Bressler.	Geo. W. Wolf.
Chas. B. McCormick.	H. C. Reed.
John Snodgrass.	C. R. Gearhart, } Trustees of B. E.
K. F. Gearhart.	A. B. Garth, } and N. Presby-
Julian Carstater.	J. T. Taylor, } teri'ng Church.
T. J. Elder.	H. W. Garth.
John Stiver.	
^{her} Catharine + Breckbill.	L. L. Haughawaut.
^{mark.} C. R. Gearhart.	W. D. McCormick.
^{his} Wm. + Johnson.	W. A. Caldewood.
^{mark.}	S. R. Stover.

To see plot and draft which is filed at Lock Haven with the prothon'y.

The following ordinance was passed (see ordina'ce book.)

F. M. WELSH, *Clerk.*

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, S. M. McCormick, a notary public in and for said State and county, do hereby certify that the above and foregoing is a true and correct copy of the minutes of the borough council of Mill Hall, of September 3, 1878, as taken from their minute book, which was produced before me on Friday, March 31, 1879, on behalf of contestee.

Witness my hand and notarial seal, this 1st day of April, A. D. 1879.

[SEAL.]

S. M. McCORMICK,
Notary Public.

EXHIBIT 2.

To the honourable the chief burgess and town council of the borough of Mill Hall :

That whereas your petitioners, now citizens of the township of Bald Eagle, being freehold property holders, would respectful' represents that owing to the inconvenience of schools in the winter season and the inclemency of we'ther; that some of the children are small and unable at times to attend school in their district; and further believing that it will reduce the burthen of tax now assessed uppon the citizens of the present borough; and uppon their now asking to be admitted into incorporated district of the borough of Mill Hall. Your petitioners therefore represent, that agreeable to a decision of the supreme court of Pennsylvania, by their honour' Thomson, Strong, Agnew, Reed, No. 56, Pennsylv. Report, page 163 & 164, based upon

an act of assembly of April 3, 1851, setting forth that where there are twenty freehold property holders residing upon the ter'itory asking to come or be admitted into a borough already incorporated, that the burgess and council at their regular stated meeting may admit such person and ter'itory into their incorporated bounds as a part of said borough.

Your petitioners therefore pray that your honourable body would consider their petition for admission, agreeable to a draft hereto annexed, with the metes and bounds fully layd down. And your petitioners will ever pray, &c.

Geo. S. Garth.

Robert Mann.

W. A. Masden.

Wilson Elder.

A. H. Best, president of Bald Eagle

Nittary B. & Pensy. Road.

S. A. McCormick.

Charlotte Bressler.

Huston Bressler.

Chas. B. McCormick.

John Snodgrass.

K. F. Gearhart.

Julian Carstetter.

T. J. Elder.

John Stiver.

her
Catharine + Breckbill.

mark.
C. R. Gearhart.

his
Wm. + Johnson.

mark.

James Flanagan.

W. B. Cook.

William Cridler.

Francis Platt.

George W. Barrett.

John Keener.

A. L. Blint.

Sam'l Harris.

George W. Wolf.

H. C. Reed.

C. R. Gearhart. } Trustees of B. E.
A. B. Garth. } & N. Presbyte-
J. T. Taylor. } rian Church.

H. W. Garth.

L. L. Haughwout.

Wm. D. McCormick.

W. A. Calderwood.

S. N. Stover.

STATE OF PENNSYLVANIA,

County of Clinton, ss :

I, S. M. McCormick, notary public in and for said county and State, do hereby certify, that the above and foregoing is a true and correct copy of the petition of certain citizens of Bald Eagle Township, Clinton County, for admission into the borough of Mill Hall, as also of the draft of territory sought to be annexed, and of the ordinance of the borough of Mill Hall annexing said territory to said borough, as the same is on file in the court of quarter sessions of Clinton County, and as produced before me and offered in evidence on the part of the contestee.

Witness my hand and notarial seal, this 29th day of March, A. D. 1879.

[SEAL.]

S. M. McCORMICK,
Notary Public.

Ordinance to extend borough lines.

Whereas by act of assembly of the commonwealth of Pennsylvania (see Purdon's Dig., 166, sec. 10) empowering, and by virtue of said act are directed and required, upon petition of any number not less than twenty of the freehold owners of lots or outlots, or other tracts of land in any section lying adjacent to said borough, to declare by ordinance the admission of such section upon which petitioners and others

reside; and whereas the petition of the required number of freehold owners and residents, in accordance with said act, living in and upon the territory hereby described:

Beginning at point near maple tree, then on line of Bressler and Long & Frust N. $32\frac{1}{4}$ E. 36 p'ch to line of Bressler and Stover, then same course on line of Stover and Long 63 p'ch to line of James Welsh and Sam'l R. Stover, then on said line N. 60 W. $68\frac{8}{10}$ p'ch to point at turnpike, then up turnpike S. 25 W. $57\frac{6}{10}$ p'ch to point; then across turnpike on north side of parsonage lot N. 68 W. $25\frac{9}{10}$ p'ch to north corner of parsonage lot; then by said lot S. 25 W. $4\frac{5}{10}$ p'ch to bank of creek; then down creek and across the same S. 54 W. $29\frac{6}{10}$ p'ch to west side of creek; then through middle of public road leading to Bald Eagle N. 60 W. 61 p'ch to point formerly oak stump; then on middle of said road S. 85 W. $26\frac{6}{10}$ p'ch to line of John Snodgrass and Joseph Hanna; then on line of said Snodgrass & Hanna S. 5 W. 128 p'ch to centre of railroad; then on same line and course $106\frac{9}{10}$ p'ch to point on line of Margaret Robison and Capt. Brady; then on said line, now Platt, S. 84 E. 16 p'ch to public road; then same corner on land of Francis Platt $71\frac{5}{10}$ p'ch to point corner Francis Platt and Wilson Elder; then through Wilson Elder's S. $60\frac{1}{2}$ E. $50\frac{5}{10}$ p'ch to line of town lots; then to south corner of Wilson Walker's lot S. 87 E. 16 p'ch to point; then by the Whitehead-Jones survey S. 14 E. $148\frac{6}{10}$ p'ch to line of Lamar Twp.; then on said line N. 82 E. 16 p'ch to point near office of Robert Mann; thence across breast of dam S. $85\frac{1}{2}$ E. $18\frac{9}{10}$ p'ch to large stone; then down Fishing Creek N. 3 W. 32 p'ch to small white pine, down creek N. $22\frac{1}{2}$ W. $14\frac{4}{10}$ p'ch to small hemlock; then down creek N. 12 W. $24\frac{8}{10}$ p'ch to crooked hemlock at edge of water; then down creek N. $3\frac{1}{2}$ W. $15\frac{5}{10}$ p'ch to south corner of log bridge; then across said bridge N. 18 W. $14\frac{3}{10}$ p'ch to white pine; then N. 25 W. 11 p'ch to a chestnut, N. $33\frac{1}{2}$ W. 8 p'ch to a gum tree; then N. $25\frac{1}{2}$ W. 28 p'ch to a large white pine; then N. $18\frac{1}{2}$ W. $16\frac{4}{10}$ p'ch to buttonwood on old corner of the original borough survey; then on the old borough lines as formerly run in the old corporation, to the place of beginning, desire to be admitted to the borough of Mill Hall:

Therefore be it ordained by the chief burgess and the town council of the borough of Mill Hall, Pa., and it is hereby ordained by the authority of the same that that part of the township of Bald Eagle lying in and between the said described limits is hereby admitted, and the said described section shall forever hereafter be deemed, taken, and allowed to be part of said borough of Mill Hall, and subject to the jurisdiction and government of the municipal authorities of said borough of Mill Hall as fully as if the same had been originally a part of said borough.

Approved and passed this third day of September, A. D. 1878.

J. H. HICKOFF, *C. B.*

Attest:

F. M. WELSH, *Clerk.*

STATE OF PENNSYLVANIA,

County of Clinton, ss:

I, S. M. McCormick, a notary public in and for said State and county do hereby certify that the above is a true and correct copy of an ordinance passed September 3, 1878, by the council of the borough of Mill Hall, and approved by the chief burgess as taken from the ordinance book of said council, which was produced before me on Friday, March 31, 1879, on the part of contestee.

Witness my hand and notarial seal this 1st day of April, A. D. 1879.

[SEAL.]

S. M. McCORMICK,

Notary Public.

EXHIBIT 3.

Whereas by act of assembly of the commonwealth of Pennsylvania (see Purdon's Dig., 166, sec. 10), empowering, and by virtue of said act are directed and required, upon petition of any number not less than twenty of the freehold owners of lots or outlots or other tracts of land in any section lying adjacent to said borough, to declare by ordinance the admission of such section upon which petitioners and others reside;

And whereas the petition of the required number of freehold owners and residents, in accordance with said act, living in and upon the territory hereby described:

Beginning at a point near maple tree; then on line of Bressler and Long & Frust N. $32\frac{1}{4}$ ° E. 36 perches to line of Bressler & Stover; then same course on line of Stover and Long 63 perch. to line of James Welsh and Samuel Stover; then on said line N. 60 W. $68\frac{8}{10}$ perch. to point at turnpike; then up turnpike S. 25 W. $57\frac{6}{10}$ perch. to point; then across turnpike on north side of parsonage lot N. 68 W. $25\frac{9}{10}$ to north corner of parsonage lot; then by said lot S. 25 W. $4\frac{5}{10}$ to bank of creek; then down creek and across the same S. 54 W. $29\frac{6}{10}$ to west side of creek; then through middle of public road known as road to Bald Eagle N. 60 W. 61 perch. to point formerly oak stump; then on middle of said road S. 85 W. $26\frac{6}{10}$ to line of John Snodgrass and Joseph Hanna; then on line of said Snodgrass and Hanna S. 5 W. 128 to centre of railroad; then on same line and course $106\frac{9}{10}$ perch' to point on line of Margaret Robinson and Capt. Brady, then on said line, now Platt, S. 84 E. 16 p'ch to public road, then same corner on land of Francis Platt, $71\frac{5}{10}$ p'ch to point corner of Francis Platt and Wilson Elder, then through Wilson Elder S. $60\frac{1}{2}$ E. $50\frac{5}{10}$ p'ch to line of town lots, then to south corner of Wilson Walker's lot S. 87 E. 16 p'ch to point, then by the Whitehead-Jones survey S. 14 E. $148\frac{6}{10}$ p'ch to line of Lamar Twp., then on said line N. 82 E. 16 p'ch to point near office of Robert Mann, thence across breast of dam S. $85\frac{1}{2}$ E. $18\frac{9}{10}$ perch' to large stone, then down Fishing Creek N. 3 W. 32 p'ch to small white pine, down creek N. $22\frac{1}{2}$ W. $14\frac{4}{10}$ p'ch to small hemlock, then down creek N. 12 W. $24\frac{8}{10}$ p'ch to crooked hemlock at edge of water, then down creek N. $3\frac{1}{2}$ W. $15\frac{5}{10}$ p'ch to south corner of log bridge, then across bridge N. 18 W. $14\frac{3}{10}$ p'ch to white pine, then N. 25 W. 11 p'ch to chestnut N. $33\frac{1}{2}$ W. 8 p'ch to a gum tree, then N. $25\frac{1}{2}$ W. 28 p'ch to a large white pine, th. N. $18\frac{1}{2}$ W. $16\frac{4}{10}$ p'ch to buttonwood on old corner of the original borough survey, then on the old borough lines as formerly run in the old incorporation to the place of beginning, desire to be admitted to the borough of Mill Hall; therefore be it ordained by the chief burgess and town council of the borough Mill Hall, Penna., and it is hereby ordained by the authority of the same that that part of the township of Bald Eagle lying in and between the said described limits, is hereby admitted, and the said described section shall forever hereafter be deemed, taken, and allowed to be part of said borough of Mill Hall, and subject to the jurisdiction and government of the municipal authorities of said borough of Mill Hall, as fully as if the same had been originally a part of the said borough.

Approved the third day of September A. D. 1878.

J. H. HICKOFF, C. B.

Attest:

F. M. WELSH, Clerk.

EXHIBIT 3½.

Ordinance repealed.

Be it enacted, &c., That the ordina'ce passed the third day of Sept., 1878, an ordina'ce to exstend the borough limits of the borough of Mill, be, and the same is hereby, repealed.

Approved the 7th day of January, 1879.

J. H. HICKOFF, *C. B.*

Attest :

F. M. WELSH, *Clerk.*

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, S. M. McCormick, notary public in and for said State and county, do hereby certify that the above is a true and correct copy of an ordinance passed January 7, 1879, by the council of the borough of Mill Hall, and approved by the chief burgess as taken from the ordinance book of said council, which was produced before me March 31, 1879, and offered in evidence. Above copy made at request of the counsel for contestant.

[SEAL.]

S. M. McCORMICK,
Notary Public.

EXHIBIT 4.

I, Roland Hanna, do swear that I will as judge duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ROLAND HANNA,
*Judge of the Election District composed of the
Township of Woodward.*

Sworn to and subscribed this 5th day of Nov., 1878, before me.

R. B. NEWBURY,
Minority Inspector.

We, R. B. Newbury and Daniel Myers, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse

to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

DANIEL MYERS,
R. B. NEWBURY,

*Inspectors of the Election District composed of the
Township of Woodward.*

Sworn to and subscribed this 5th day of Nov., 1878, before me.

ROLAND HANNA, *Judge.*

We, H. G. Hanna & James C. McLoskey, do swear that we will as clerks impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

H. G. HANNA,

*Clerk of the Election District composed of the
Township of Woodward.*

Sworn to and subscribed this 5th day of Nov., 1878, before me.

ROLAND HANNA, *Judge.*

STATE OF PENNSYLVANIA,
County of Clinton:

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of the oaths of election officers for the election held in the election district of Woodward Township on the first Tuesday of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Lock Haven, this third day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER.

G. W. Batcheler.

Poll list.

List of names of persons who voted at the election held at the public house of Lewis Hoover, in the election district of Woodward Township, Clinton County, Pennsylvania, on the 5th day of November, 1878.

1 Nathan McCloskey
2 J. T. McCloskey
3 George Hanna
4 B. B. Newberry
5 Geo. Rebstock

6 M. M. King
7 Tobias Barret
8 James H. Smith
9 F. M. Webber
10 Abram Maurer

- | | |
|------------------------|-----------------------|
| 11 Wm. B. Hanna | 67 Thos. McNarney |
| 12 John Williams | 68 John J. Paul |
| 13 James C. McCloskey | 69 John S. Probst |
| 14 A. D. Smith | 70 John Moodler |
| 15 Fred'ck Probst | 71 John Witchey |
| 16 Fred. Batchell | 72 Henry Heck |
| 17 Warren Martin | 73 Henry Jackman |
| 18 Frank McSherry | 74 Dennis Grady |
| 19 John Showers | 75 Robert Simcox |
| 20 Adam Bentz | 76 Ew'd L. Fargus |
| 21 Joseph Gronett | 77 Geo. Cohan, jr. |
| 22 John McNally | 78 John C. Blush |
| 23 Jacob Bishop | 79 Joseph Hanna |
| 24 Lewis Hoover | 80 John Lobshear, sr. |
| 25 Dan'l Shank | 81 John Lobshear, jr. |
| 26 John Passel | 82 Jacob Lobshear |
| 27 Wm. Ritchey | 83 Jacob Widman |
| 28 D. B. McCloskey | 84 J. F. Sorgen |
| 29 H. F. McCloskey | 85 Oliver Smith |
| 30 S. M. Bickford | 86 James Sullivan |
| 31 Sam'l Workman | 87 John Probst |
| 32 Frank Englet | 88 Rudolph Welta |
| 33 John Swope | 89 Wm. Fortney |
| 34 H. G. Hanna | 90 James Kinley |
| 35 John Lingle | 91 Samuel Suiter |
| 36 James C. Sayers | 92 Daniel Shoemaker |
| 37 Henry Bartholomew | 93 J. F. King |
| 38 Kinley Packer (age) | 94 John Englert |
| 39 James Probst | 95 B. Hall |
| 40 Sam'l Probst | 96 Jacob Bowman |
| 41 John Ealy | 97 Edward Fryer |
| 42 John Croak | 98 Harry Bollinger |
| 43 Michael Caho | 99 Burton Litz |
| 44 Roland Hanna | 100 Adam Probst |
| 45 Geo. Herr | 101 Fred. Dubler |
| 46 Jacob Custer | 102 Henry Fisher |
| 47 Orange Shurtleff | 103 Jacob Englert |
| 48 John Heck | 104 James T. Newberry |
| 49 T. M. Christie | 105 Abner McCloskey |
| 50 Jesse Reeder | 106 Sam'l Bowman |
| 51 Dan'l R. Myers | 107 Rob't Myers |
| 52 John S. Probst | 108 John Clymer |
| 53 John Krebs | 109 Charles Rote |
| 54 John Keefer | 110 A. W. Bolinger |
| 55 Abram Probst | 111 Timothy Ralahan |
| 56 Sam'l Reed | 112 Morris Pedigru |
| 57 Isaac A. Packer | 113 Nicholas Heck, sr |
| 58 Henderson McGill | 114 John Bowman |
| 59 T. W. King | 115 Jacob Shoemaker |
| 60 Jno. B. Fargus | 116 W. A. Hanna |
| 61 W. B. Burnell | 117 John Ritzel |
| 62 Abram Wenker | 118 Abram Litz |
| 63 Peter Weaver | 119 C. Smith |
| 64 John Wenker | 120 Dan'l Green |
| 65 John B. Shannon | 121 Jackson Welch |
| 66 Nicholas Boomer | 122 Jacob Bowman |

123 Joseph McGill	170 John A. Shoemaker
124 Geo. Cohan, sr.	171 Sam'l Smith
125 Wm. Witchey	172 Wm. Marr
126 James Pedigru	173 John Green
127 R. W. Hanna	174 Dan'l Mulchi
128 John Doeblor	175 R. Frankenfield
129 David R. Litz	176 James McGill
130 Rudolph Weaver	177 John S. Hanna
131 J. D. Weaver (age)	178 Wm. Galbraith
132 Thos. Christie, sr.	179 John S. Probst
133 C. T. Smith	180 Rich'd Emory
134 Irvin Sayers	181 Michael Roach
135 John Mahony	182 John R. Shoemaker
136 John Euver	183 J. E. Shoemaker (age)
137 Andrew Litz	184 Ben. S. Probst
138 John Gross	185 Sam'l H. Probst
139 Patrick Sullivan	186 W. J. Smith
140 Albert Ramsey	187 John Emory (age)
141 Bostian Gross	188 Frank Bickford
142 Theo. Myers	189 Ben. Probst
143 Thos. Gummo	190 Jno. E. Blush
144 Chas. Johnson	191 Lewis Coffee
145 Edw'd Seybold	192 Wm. Gross (age)
146 H. D. Fargus	193 Ben. Krebs
147 Dennis Murry	194 Jacob A. Wenker
148 Jacob Myers	195 Abram Wenker
149 C. Force	196 John Wenker
150 Fred'ck Rote	197 Abram Andrews
151 C. Bowman	198 John Miller
152 Geo. Tarman	199 Joseph Heaps
153 Geo. A. Smith	200 Robert Smith
154 Wm. Herrington	201 Rich'd Welch
155 A. G. Fleming	202 W. L. Allen
156 Arthur Sarvey	203 Sam. Keefer
157 Isaac McCloskey	204 John Boyer
158 John Herrington	205 B. A. Fahringer
159 Rich'd Coffee	206 I. A. Fabringer
160 John B. Probst	207 John Lannan
161 John C. Batchelett	208 A. B. McCloskey
162 Arthur Shaffer	209 Chas. Nowell
163 John R. Ritchey	210 R. S. Welsh
164 Ben. F. Probst	211 W. W. Christie
165 Wm. Bennett	212 Wm. Fahringer
166 W. C. McCloskey	213 Aaron Lampkey
167 James Sayers, jr.	214 Anthony Doeblor
168 Geo. Glossner	215 L. A. Trezulney
169 Felix McCloskey	

STATE OF PENNSYLVANIA,

County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of the poll-list for the election held in the election district of Woodward Township on the first Tuesday of November, A D. 1878, so full and entire as the same was returned to and remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this third day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,
Prothonotary.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under fourth section of registry law, approved 17th of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, J. E. Shoemaker, being duly sworn, say : That I am a native-born citizen of the United States ; that I am at this date between the ages of twenty-one and twenty-two years ; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, for two months and upwards next preceding this election.

J. EDWARD SHOEMAKER.

Sworn and subscribed this 5th day of November, 1878, before me.
ROLAND HANNA.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under fourth section of registry law approved 17th day of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Emory, being duly sworn, say : That I am a native born citizen of the United States ; that I am at this date between the ages of twenty-one and twenty-two years ; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, for two months and upwards next preceding this election.

JOHN EMORY.

Sworn and subscribed this 5th day of November, 1878, before me.
ROLAND HANNA.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under fourth section registry law, approved 17th of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, J. D. Weaver, being duly sworn, say : That I am a native-born citizen of the United States; that I am at this date between the ages of twenty-one and twenty-two years; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, for two months and upwards next preceeding this election.

JOHN D. WEAVER.

Sworn and subscribed this 5th day of November, 1878, before me.

ROLAND HANNA.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born-citizen not registered, and who claims right to vote on age, under fourth section of registry law, approved 17th of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Kinley Packer, being duly sworn, say : That I am a native-born citizen of the United States; that I am at this date between the ages of twenty-one and twenty-two years; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, for two months and upwards next preceding this election.

KINLEY PACKER.

Sworn and subscribed this 5th day of November, 1878, before me.

ROLAND HANNA.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born citizen not registered, and who claims right to vote on age, under fourth section of registry law, approved 17th of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Wm. Gross, being duly sworn, say : That I am a native-born citizen of the United States; that I am at this date between the ages of twenty-

one and twenty-two years; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, for two months and upwards next preceding this election.

WILLIAM GROSS.

Sworn and subscribed this 5th day of November, 1878, before me.

ROLAND HANNA.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing are true and correct copies of the affidavits of voters for the election held in the election district of Woodward Township on the first Tuesday of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this third day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,
Prothonotary.

EXHIBIT 5.

I, John N. Gets, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. N. GETS,
*Judge of the Election District composed of the
Township of Dunstable.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

J. G. STEWART,
Minority Inspector.

We, J. G. Stewart & D. R. Burke, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and

that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgment and abilities ; that we are not directly or indirectly interested in any bet or wager on the result of this election ; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. G. STEWART,

DANIEL R. BURKE,

*Inspectors of the Election District composed of the
Township of Dunstable.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

J. N. GETS,

Judge.

We, Levi T. Eckert & John James, do swear that we will, as a clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duty respecting the same to the best of our judgment and ability ; that we are not directly or indirectly interested in any bet or wager on the result of this election ; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN JAMES,

LEVI T. ECKERT,

*Clerks of the Election District composed of the
Township of Dunstable.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

J. N. GETS,

Judge.

STATE OF PENNSYLVANIA,

County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of the oaths of election officers for the election held in the election district of Dunstable Township on the first Tuesday of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this third day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,

Prothonotary.

Poll-list.

List of names of persons who voted at the election held at the private house of A. & M. Quigley, in the election district of Dunstable Township, Clinton County, Pa., on the 5th day of November, 1878.

- | | |
|-----------------------------|--------------------------------|
| 1 Thos. McCloskey | 51 O. S. McCloskey |
| 2 Adam Myers | 52 Edward Waggener |
| 3 Theo. Huff | 53 Peter Brown |
| 4 Aban Von Gundun | 54 Andrew Dice |
| 5 Michael Beck | 55 R. H. Dorey |
| 6 John Q. Adams | 56 John Q. Baird |
| 7 Jacob Glise | 57 Thos. Bartholomew |
| 8 B. F. Raudbach | 58 John Henzi |
| 9 G. W. McCurdy | 59 M. A. Shaffer |
| 10 Thos. Johnson | 60 John James |
| 11 R. L. Quigly | 61 John J. Matzer, jr., (age.) |
| 12 John Besh | 62 John J. Matzer, sr. |
| 13 Benj. Brobst | 63 Thos. Getts |
| 14 Jacob Wise | 64 Henry Rader |
| 15 Fred. Weaver | 65 H. F. Shaffer |
| 16 Chas. L. Huff | 66 Jacob Kalubaugh |
| 17 Henry Lingle | 67 Martin Rosenbarger |
| 18 Christian Blesh | 68 A. Bartholomew |
| 19 William Blesh | 69 Conrad Reeder |
| 20 N. N. Merrill | 70 Jno. A. McCurdy |
| 21 John Huff | 71 W. H. Crawford |
| 22 D. J. McCloskey | 72 Geo. Conser |
| 23 Jacob Huff | 73 John M. Dice |
| 24 Nicholas Siler | 74 Jacob Grosse |
| 25 Ben. Molten | 75 J. G. Weise |
| 26 John F. Grosse | 76 Gotlieb Weise, jr. |
| 27 Fred. Siler | 77 Edward Dreys |
| 28 A. W. Ferguson | 78 Samuel Schrack |
| 29 Alex. Stewart | 79 Chas. Eckert |
| 30 John Shaffer | 80 Emerson Farley |
| 31 Volney Isbell | 81 James A. Farley (age) |
| 32 David Suiter | 82 Jacob Farley |
| 33 Samuel Messerly | 83 John Reeder |
| 34 Gottlieb Weise, sr. | 84 B. H. Baird |
| 35 Christian Reeder | 85 Mathias Miller |
| 36 Philip Rentzel | 86 John Crawford |
| 37 J. G. Stewart | 87 John Messerly |
| 38 D. R. Burke | 88 Fred. Goodman |
| 39 Chas. Proctor | 89 William Burke |
| 40 Samuel Hartzel | 90 Fred. Henzi |
| 41 Geo. Getts | 91 John Weaver |
| 42 R. A. McAlister | 92 G. W. Dice |
| 43 Augustus Hamburger (age) | 93 H. L. McCloskey |
| 44 William Whipka | 94 Joseph Gesler |
| 45 David Baird | 95 A. W. McAlister |
| 46 C. B. Brown | 96 Jacob Getts |
| 47 Levi Eckert | 97 Joseph Humberger |
| 48 Geo. W. Baird | 98 Charles Chambers |
| 49 John Bower | 99 Valentine Long |
| 50 G. W. Benjamin | 100 J. A. Myers |

101 William Dice	106 R. H. Stewart
102 J. N. Getts	107 John Glise
103 T. J. Gets	108 R. R. Proctor
104 James Smith (age)	109 Wm. H. Smith
105 James Chambers (age)	110 John J. Smith

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of the poll list for the election held in the election district of Dunstable Township on the 1st Tuesday of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 3rd day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,
Prothonotary.

Triplicate election return.

We, the undersigned, elected and sworn according to law inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the private house of A. & M. Quigley, in the township of Dunstable, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS

Seth H. Yocum had forty-nine (49) votes.

A. G. Curtin had fifty-six (56) votes.

* * * * *

In testimony whereof we, the inspectors and judge of election afore-said, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

J. G. STEWART, [SEAL.]
D. R. BURKE, [SEAL.]
Inspectors.
J. N. GETS, Judge. [SEAL.]

Attest:

LEVI T. ECKERT,
JOHN JAMES,
Clerks.

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet for the election held in the election district of Dunstable Township, on the 1st Tuesday of November, A. D. 1878, so far as said return relates to and shows the votes cast for member of Congress in said election dis-

trict, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Lock Haven, this 3d day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,
Prothonotary.

Triplicate election return.

We, the undersigned, elected and sworn according to law inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the public house of Lewis Hoover, in the township of Woodward, Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS

A. G. Curtin had 130 votes.
Seth H. Yocum had 83 votes.

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

DANIEL MYERS, [SEAL.]
R. B. NEWBURY, [SEAL.]
Inspectors.
ROLAND HANNA, [SEAL.]
Judge.

Attest :

H. G. HANNA,
J. C. McCLOSKEY
Clerks.

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas in and for said county, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet for the election held in the election district of Woodward Township on the 1st Tuesday of November, A. D. 1878, so far as said return relates to and shows the votes cast for member of Congress in said election district, so full and entire as the same were returned to and remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Lock Haven, this 3d day of March, A. D. 1879.

[SEAL.]

G. W. BATCHELER,
Prothonotary.

EXHIBIT No. 6.—*S. M. McCormick, Notary Public.*

Borough ordinance.

Whereas by act of assembly of the commonwealth of Pennsylvania (see Purdon's Dig. 166, sec. 10), empowering, and by virtue of said act,

are directed and required upon petition of any number not less than twenty of the freehold owners of lots or outlots or other tracts of land in any section lying adjacent to said borough, to declare by ordinance the admission of such section upon which petitioners and others reside, and whereas, the petition of the required number of freehold owners and residents in accordance with said act, living in and upon the territory hereby described: Beginning at point near maple tree, then on line of Bressler and Long and Furst north $32\frac{1}{4}$ east 36 perches to line of Bressler and Stover, thence same course on line of Stover and Long 63 perches to line of James Welsh and Samuel R. Stover, thence on said line north 60 west 68 8-10 perches to point at turnpike, thence up turnpike south 25 west 57 6-10 perches to point, thence across turnpike on north side of parsonage lot north 68 west 25 9-10 perches to north corner of parsonage lot; thence by said lot south 25 west 4 5-10 perches to bank of creek; thence down creek and across the same south 54 west 29 6-10 perches to west side of creek; thence through middle of public road leading to Bald Eagle north 60 west 61 perches to point formerly oak stump; thence on middle of said road south 85 west 26 6-10 perches to line of John Snodgrass and Joseph Hanna; thence on line of said Snodgrass and Hanna south 5 west 128 perches to center of railroad; thence on same line and course 106 9-10 perches to point on line of Margaret Robinson and Captain Brady; thence on said line now Platt south of east 16 perches to public road, thence same corner on land of Francis Platt 71 5-10 perches to point corner of Francis Platt and Wilson Elder; thence through Wilson Elder's south $60\frac{1}{2}$, east 50 5-10 perches to line of town lots; thence to south corner of Wilson Walker's lot south 87 east 16 perches to point; thence by the Whitehead Jones survey south 14 east 148 6-10 perches to line of Lamar Township; thence on said line north 82 east 16 perches to point near office of Robert Mann; thence across breast of dam south $85\frac{1}{2}$ east 18 9-10 perches to large stone; thence down Fishing Creek north 3 west 32 perches to small white pine; down creek north $22\frac{1}{2}$ west 14 4-10 perches to small hemlock; thence down creek north 12 west 24 8-10 perches to crooked hemlock at edge of water; thence down creek north $3\frac{1}{2}$ west 15 5-10 perches to south corner of log bridge; thence across said bridge north 18, west 14 3-10 perches to white pine; thence north 25 west 11 perches to a chestnut, north $33\frac{1}{2}$ west 8 perches to a gum tree; thence north $25\frac{1}{2}$ west 28 perches to a large white pine; thence north $18\frac{1}{2}$ west 16 4-10 perches to buttonwood on old corner of the original borough survey; thence on the old borough lines as formerly run in the old incorporation to the place of beginning, desire to be admitted to the borough of Mill Hall. Therefore, Be it ordained by the chief burgess and town council of the borough of Mill Hall, Pennsylvania, and it is hereby ordained by the authority of the same, that that part of the township of Bald Eagle lying in and between the said described limits is hereby admitted, and the said described section shall forever hereafter be deemed, taken, and allowed to be part of said borough of Mill Hall, and subject to the jurisdiction and government of the municipal authorities of said borough of Mill Hall, as fully as if the same had been originally a part of the said borough.

Approved the third day of Sept., A. D. 1878.

J. H. HICKOFF, *C. B.*

Attest:
[SEAL.]

F. M. WELSH, *Clerk.*

EXHIBIT 7.—*S. M. McCormick, Notary Public.**Election Proclamation.*

Whereas by an act of general assembly of the commonwealth of Pennsylvania, entitled "An act relating to the elections of this commonwealth," passed the 2d of July, 1839, it is made the duty of the sheriff of every county to give notice of such election, and to make known in such notice what officers are to be elected :

Therefore, I, John Candor, high sheriff of the county of Clinton, do make known by this proclamation to the electors of said county, that an election will be held on Tuesday, the 5th day of November, 1878, it being the first Tuesday after the first Monday of said month, in the several districts of Clinton County, as follows :

For the district composing the first ward of the city of Lock Haven, at the old court-house.

For the district composing the second ward of the city of Lock Haven, at the court-house.

For the district composing the third ward of the city of Lock Haven, at the public school house on Church street.

For the district composing the fourth ward of the city of Lock Haven, at the National Hotel.

For the district composed of Allison Township, at the public school house, corner of Sturdivant and High streets, in the village of Flemington.

For the district composed of Woodward Township, at the public house formerly occupied by Robert Hanna.

For the district composed of Dunstable Township, at the house of A. & M. Quigley.

For the district composed of Pine Creek Township, at the public house now occupied by Mrs. H. Smith.

For the district composed of Wayne Township, at the station house.

For the district composed of Liedy Township, at the house of Isaac Summerson.

For the district composed of Crawford Township, at the house of Israel W. Fravel.

For the district composed of Logan Township, at the Tylerville school house.

For the district composed of Green Township, at the house lately occupied as an office by Levi Conser, in Logansville.

For the district composed of Lamar Township, in the town hall at Salona.

For the district composed of Porter Township, at the school house in Clintonville.

For the district composed of Gallauher Township, at the house of John Springer.

For the district composed of Bald Eagle Township, at the office of Henry M. Bossert.

For the district composed of Beech Creek Township, at the house formerly occupied by Andrew White, in Florence.

For the district composed of Colebrook Township, at the school house at Lick Run.

For the district composed of Chapman Township, at the public school house.

For the district composed of Noyes Township, at the public house of John W. Robbins.

For the district composed of the borough of Renovo, at the public house formerly occupied by Jacob Ulrich, in said borough.

For the district composed of Grugan Township, at the house of James Grugan.

For the district composed of East Keating Township, at school house No. 1.

For the district composed of West Keating Township, at the house of James Moore.

For the district composed of the borough of Mill Hall, at school house No. 1, in said borough.

For the district composing the borough of Beech Creek, at the school house in said borough.

For the district composing the borough of Logansville, at the school house in said borough.

For the district composed of Castanea Township, at the school house in the village of Castanea.

At which time and place the freemen of Clinton County will vote by ballot for the following, namely :

One person for governor.

One person for lieutenant-governor.

One person for judge of the supreme court.

One person for secretary of internal affairs.

One person for judge of the district composed of Centre, Clinton, and Clearfield Counties.

One person to represent the counties of Union, Clinton, Clearfield, Elk, Mifflin, and Centre in the Congress of the United States.

One person for assembly.

One person to represent the counties of Centre, Clearfield, and Clinton in the State senate.

One person for sheriff.

One person for county treasurer.

One person for district attorney.

Three persons for county commissioners.

Three persons for county auditors.

SPECIAL ATTENTION

is hereby directed to the 8th article of the constitution of the commonwealth, as follows:

SECTION 1. Every male citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections :

First. He shall have been a citizen of the United States at least one month.

Second. He shall have resided in the State one year (or if having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If twenty-two years of age or upwards, he shall have paid within two years a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

SEC. 4. All elections by the citizens shall be by ballot. Every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters opposite the name of the elector who presents the ballot. Any elector may write

his name upon his ticket, or cause the same to be written thereon and attested by a citizen of the district. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

SEC. 5. Electors shall in all cases, except treason, felony, and breach of surety of the peace, be privileged from arrest during their attendance on elections and in going to and returning therefrom.

SEC. 7. All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State, but no elector shall be deprived of the privilege of voting by reason of his name not being registered.

SEC. 8. Any person who shall give, or promise or offer to give, to an elector any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any other person or party for such elector's vote or for the withholding thereof, and any elector who shall receive or agree to receive, for himself or for another, any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such election, and any elector whose right to vote shall be challenged for such cause before the election officers shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

SEC. 9. Any person who shall, while a candidate for office, be guilty of bribery, fraud, or willful violation of any election law, shall be forever disqualified from holding an office of trust or profit in this commonwealth. Any person convicted of willful violation of the election laws shall, in addition to any penalties provided by law, be deprived of the right of suffrage absolutely for a term of four years.

SEC. 13. For the purpose of voting no person shall be deemed to have gained a residence by reason of his presence, or lost it reason of his absence while employed in the service, either civil or military, of this State or of the United States, nor while engaged in the navigation of the waters of the State, or the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poor-house or other asylum at public expense, nor while confined in public prison.

SEC. 14. District election boards shall consist of a judge and two inspectors, who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled as shall be provided by law. Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns, except upon a warrant of a court of record or a judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their term of service.

SEC. 15. No person shall be qualified to serve as an election officer who shall hold or shall within two months have held any office or appointment or employment in or under the Government of the United States, or of this State, or of any city or county, or of any municipal board, commission or trust in any city, save only justices of the peace and aldermen, notaries public and persons in the militia service of the State; nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve, save only to such subordinate municipal or local offices below the grade of city or county officers as shall be designated by general law.

REGISTRATION.

And also the following acts of assembly now in force in this State :

SEC. 10. On the day of election any person whose name shall not appear on the registry of voters, and who claims the right to vote at said election, shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter for the period of at least two months immediately preceding said election, which witness shall be sworn or affirmed, and subscribe a written or partly written and partly printed affidavit to the facts stated by him, which affidavit shall define clearly where the residence is of the person so claiming to be a voter, and the person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit, stating, to the best of his knowledge and belief, when and where he was born; that he has been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that he has resided in the commonwealth one year, or, if formerly a qualified elector or a native-born citizen thereof, and has removed therefrom and returned, that he has resided therein six months next preceding said election; that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election; that he has not moved into the district for the purpose of voting therein; that he has, if twenty-two years of age or upwards, paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election. The said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed, and when and where and to whom paid; and the tax receipt therefor shall be produced for examination, unless the affiant shall state in his affidavit that it has been lost or destroyed, or that he never received any; and, if a naturalized citizen, shall also state when, where, and by what court he was naturalized, and shall produce his certificate of naturalization for examination. But if the person so claiming the right to vote shall take and subscribe an affidavit that he is a native-born citizen of the United States, or, if born elsewhere, shall state the fact in his affidavit, and shall produce evidence that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization, and shall further state in his affidavit that he is, at the time of making the affidavit, of the age of twenty-one and under twenty-two years; that he has been a citizen of the United States one month, and has resided in the State one year; or, if a native-born citizen of the State and removed therefrom and returned, that he has resided therein six months next preceding said election, and in the election district immediately two months preceding such election, he shall be entitled to vote, although he shall not have paid taxes. The said affidavits of all persons making such claims, and the affidavits of the witnesses to their residence shall be preserved by the election board, and at the close of the election they shall be inclosed with the list of voters, tally list, and other papers required by law to be filed by the return judge with the prothonotary, and shall remain on file therewith in the prothonotary's office, subject to examination as other election papers are. If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote, and his name shall be added to the list of taxables by the election officers, the word "tax" being added where the claimant claims to vote on tax, and the word "age" where he claims to vote on age; the same words being added by the clerks in each case respectively, on the list of persons voting at such election.

SEC. 11. It shall be lawful for any qualified citizen of the district, notwithstanding the name of the proposed voter is contained on the list of resident taxables, to challenge the vote of such person, whereupon the same proof of the right of suffrage as is now required by law shall be publicly made and acted upon by the election board, and the vote admitted or rejected according to the evidence. Every person claiming to be a naturalized citizen shall be required to produce his naturalization certificate at the election before voting, except where he has been for five years consecutively a voter in the district where he offers a vote; and on the vote of such person being received, the election officers are to write or stamp the word "voted" on his certificate, with the day, month, and year, and if any election officer or officers shall receive a second vote on the same day by virtue of the same certificate, except where sons are entitled to vote because of the naturalization of their father, they and the person who shall offer such second vote, shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, at the discretion of the court; but the fine shall not exceed five hundred dollars in each case, nor the imprisonment more than one year. The like punishment shall be inflicted, on conviction, on the officers of election who shall neglect, or refuse to make, or cause to be made, the endorsement required as aforesaid on said naturalization certificate.

SEC. 12. If any election officer shall refuse or neglect to require such proof of the right of suffrage as is prescribed by this law, or the laws to which this is a supplement, from any person offering to vote whose name is not on the list of assessed voters, or whose right to vote is challenged by any qualified voter present, and shall admit such person to vote without requiring such proof, every person so offending shall, upon conviction, be guilty of a misdemeanor, and shall be sentenced, for every such offense, to pay a fine not exceeding five hundred dollars, or undergo an imprisonment of not more than one year, or both, at the discretion of the court.

SEC. 19. Any assessor, election officers, or person appointed as an overseer, who shall neglect or refuse to perform any duty enjoined by this act, without reasonable or legal cause, shall be subject to a penalty of one hundred dollars; and if any assessor shall knowingly assess any person as a voter who is not qualified, or who shall willfully refuse to assess any one who is qualified, he shall be guilty of a misdemeanor in office, and, on conviction, be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding two years, or both, at the discretion of the court, and also be subject to an action for damages by the party aggrieved; and if any person shall fraudulently alter, add to, deface, or destroy any list of voters made out as directed by this act, or tear down or remove the same from the place where it has been fixed, with fraudulent or mischievous intent, or for any improper purpose, the person so offending shall be guilty of a misdemeanor, and, on conviction, shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding two years, or both, at the discretion of the court; and if any person shall by violence or intimidation, drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election, or in any way willfully prevent said overseers from performing the duties enjoined upon them by this act, such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court. Any person who shall on the day of any election visit a polling place in any election district which he is not entitled to vote, and shall

use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law, or for the purpose of preventing any qualified voter of such district exercising his right to vote, or from exercising his right to challenge any person offering to vote, such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court. Any clerk, overseer, or election officer who shall disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court.

ELECTION-BOARD OATHS.

The inspectors, judge, and clerks required by law to hold township and general elections shall take and subscribe the several oaths and affirmations required by the 19th, 20th, and 21st sections of the act of 2d day of July, 1839, "An act relating to the elections of this commonwealth, which oaths or affirmations shall be prepared or administered in the manner prescribed in the 18th and 22d sections of said act, and in addition to the power conferred by the 18th section of said act, the judge or either of the inspectors shall have power to administer the oaths prescribed by said act to any clerk of a general, special, or township election."

The following shall be the form of the oath or affirmation to be taken by each inspector, viz: "I [A. B.] do ——— that I will duly attend to the ensuing election during the continuance thereof as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to a vote at such election, without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding; but that I will in all things truly and impartially and faithfully perform my duty therein to the best of my judgment and abilities, and that I am not, directly or indirectly, interested in any bet or wager on the result of this election."

The following shall be the oath or affirmation of each judge, viz: "I [A. B.] do ——— that I will as judge duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others, and I will make a true and perfect return of the said election, and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding; and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election."

The following shall be the form of oath or affirmation to be taken by each clerk, viz: "I [A. B.] do ——— that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

TICKETS TO BE VOTED.

The qualified electors will take notice of the following act of assembly approved the 12th day of March, 1866, "An act regulating the mode of voting at all elections in the several counties of this commonwealth:"

SECTION 1. Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the several counties of this commonwealth at all general, township, borough, and special elections, are hereby hereafter authorized and required to vote by tickets, printed or written, or partly printed or partly written, severally classified as follows: One ticket shall embrace the names of judges of courts voted for, and to be labeled outside "judiciary;" one ticket shall embrace the names of all State officers voted for, and be labeled "State;" one ticket shall embrace the names of all officers voted for, including the office of senator and members of assembly, if voted for, and labeled "county;" one ticket shall embrace the names of all township officers voted for, and be labeled "township;" one ticket shall embrace the names of all borough officers voted for, and shall be labeled "borough;" and each class shall be deposited in separate ballot-boxes.

SEC. 2. That it shall be the duty of the sheriffs of the several counties of this commonwealth to insert in their election proclamations hereafter issued the first sections of this act.

JAMES R. KELLY,
Speaker of the House of Representatives.
DAVID FLEMING,
Speaker of the Senate.

Approved the thirteenth day of March, A. D. one thousand eight hundred and sixty-six.

A. G. CURTIN.

FIFTEENTH AMENDMENT.

Whereas, The Congress of the United States on the 31st day of March, 1870, passed an act entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes," the first and second sections of which are as follows:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all citizens of

the United States who are or shall be otherwise qualified by law to vote at any election by the people, in any State, Territory, district, city, parish, township, school district, municipality, or other territorial subdivision shall be entitled and allowed to vote at all such elections without distinction of race, color, or previous condition of servitude, any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

SEC. 2. *And be it further enacted*, That by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or law persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such requisite or to become qualified to vote it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such prerequisite and to become qualified to vote, without distinction of race, color, or previous condition of servitude, and if such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action in the case, with full costs and such allowance for counsel fees as the court shall deem just; and shall also, for every such offense, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month nor more than one year, or both, at the discretion of the court.

HOW TO MAKE RETURNS.

SEC. 13. As soon as the polls shall close the officers of election shall proceed to count all the votes cast for each candidate voted for, and make a full return of the same in triplicate, with a return sheet in addition, in all of which the votes received by each candidate shall be given after his or her name, first in words and again in figures, and shall be signed by all of said officers and certified by overseers, if any, or if not so certified, the overseers and any officers refusing to sign or certify, or either of them, shall write upon each of the returns his or their reasons for not signing or certifying them. The vote, as soon as counted, shall also be publicly and fully declared from the window to the citizens present, and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted, and the same shall be immediately posted up on the door of the election house for the information of the public. The triplicate returns shall be enclosed in envelopes and be sealed in the presence of the officers, and one envelope with the unsealed return sheet given to the judge, which shall contain one list of voters, tally paper, and oaths of officers, and another of said envelopes shall be given to the minority inspector. All judges living within twelve miles of the prothonotary's office, or within twenty-four miles, if their residence be in a town, village, or city upon the line of a railroad leading to the county seat, shall before two o'clock, post meridian of the day after the election, and all other judges shall, before twelve o'clock meridian of the second day after the election, deliver said return, together with return sheet to the prothonotary of the court of common pleas of the county, which said return sheet shall be filed, and the day and hour of filing marked thereon, and shall be preserved by the prothonotary for public inspection. At twelve o'clock on the said second day following any election, the prothonotary of the

court of common pleas shall present the said returns to the said court. In counties where there is no resident president judge, the associate judges shall perform the duties imposed upon the court of common pleas which shall convene for said purpose; the return presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint, in the presence of the judge or judges of the said court, and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges; and the vote as so computed and certified shall be made a matter of record in said court. The sessions of said court are open to the public. And in case the return of any election district shall be missing when the returns are presented, or in case of complaint of a qualified elector under oath, charging palpable fraud or mistake, and particularly specifying the alleged fraud or mistake, or where fraud or mistake is apparent on the return the court shall examine the return, and if, in the judgment of the court, it shall be necessary to a just return, said court shall issue summary process against the election officers and overseers, if any, of the election district complained of, to bring them forthwith into court, with all election papers in their possession; and if palpable mistake or fraud shall be discovered, it shall, upon such hearing as may be deemed necessary to enlighten the court, be corrected by the court and so certified; but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation; and the said inquiry shall be directed only to palpable fraud or mistake, and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law; and the other said triplicate returns shall be placed in the box and sealed up with the ballots. Nothing in this act shall require the returns of elections of township or borough officers to be made to the court as directed in this section, but all returns of the election of township and borough officers shall be enclosed in a sealed cover, directed to the prothonotary of the court of common pleas of the proper county, and shall, by some one of them, be delivered into his office within three days after every such election and filed therein.

* * * * *

DISTRICT RETURN JUDGES.

When two or more counties are connected for the election of any officer, the courts of such counties shall each appoint a return judge to meet at such a time and place as required by law, to compute and certify the vote of such district. All officers provided for by this act shall be compensated as like officers are paid by existing laws. Whenever a place has been or shall be provided by the authorities of any city, county, township, or borough for the safe keeping of the ballot boxes, the judge and minority inspector shall, after the election shall be finished and the ballot box or boxes containing the tickets, list of voters, and other papers have been securely bound with tape and sealed, and the signatures of the judge and inspectors affixed thereto, forthwith deliver the same, together with the remaining boxes, to the mayor and recorder of such city, or in counties, townships, or boroughs to such person or persons as the court of common pleas of the proper county may designate, at the place provided as aforesaid, who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election. Whenever the election officers of any

district shall require the election boxes of such district to hold any election which by law they are or shall be required to hold, they shall keep the same securely in their possession without opening until the morning of such election, and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted, and after being so sworn or affirmed, they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein, before proceeding to hold such election.

CONTESTED ELECTIONS.

That whenever, in contested elections of president or additional law judges, senators and members of the house of representatives, and of county, borough, township, or municipal officers, under the provisions of the ninth section of an act entitled "An act designating the several classes of contested elections in this commonwealth, and providing for the trial thereof," approved the nineteenth day of May, Anno Domini eighteen hundred and seventy-four, wherein it is provided that in contested elections of president or additional law judges, senators and members of the house of representatives, and of county, borough, township, or municipal officers, in which the court or judge shall not decide that the complaint is without probable cause, the proper district, county, city, township, borough, ward, school district, or municipality shall be liable to pay all costs, and the same shall be promptly paid by the proper authorities; and upon the order of the court or judge trying the case, if any court or judge shall have heretofore decided, or shall hereafter decide, that the complaint was not or is not without probable cause, the said court or judge is hereby authorized and shall apportion all the costs among the proper districts, counties, cities, townships, boroughs, wards, school districts, or municipalities of the whole district in which the contest is had, in such way as said court or judge shall think just, and to compel by order the payment of such amounts so appropriated to each of the properly constituted authorities of each of the proper districts, counties, cities, townships, boroughs, wards, school districts, or municipalities as the payments of debts by the same can now be enforced.

Given under my hand, at my office in Lock Haven, this 23d day of September, in the year of our Lord one thousand eight hundred and seventy-eight, and in the one hundred and third year of the Independence of the United States.

JOHN CANDOR, *Sheriff*.

SHERIFF'S OFFICE,
Lock Haven, Sept. 23, 1878.

EXHIBIT No. 8.—S. M. McCORMICK, *notary public*.

Borough ordinance.

Whereas by act of assembly of the commonwealth of Pennsylvania (see Purdon's Dig. 166, sec. 10) empowering, and by virtue of said act, are directed and required, upon petition of any number not less than twenty of the freehold owners of lots or outlots or other tracts of land in any section lying adjacent to said borough, to declare by ordinance the admission of such section upon which petitioners and others reside; and whereas the petition of the required number of freehold owners and residents in accordance with said act, living in and upon the territory hereby described: Beginning at point near maple tree, then on

line of Bressler and Long & Furst north $32\frac{1}{4}$ east 36 perches to line of Bressler and Stover; thence same course on line of Stover and Long 63 perches to line of James Welsh and Samuel R. Stover; thence on said line north 60 west 68 8-10 perches to point at turnpike; thence up turnpike south 25 west 57 6-10 perches to point; thence across turnpike on north side of Parsonage lot north 68 west 25 9-10 perches to north corner of Parsonage lot; thence by said lot south 25 west 4 5-10 perches to bank of creek; thence down creek and across the same south 54 west 29 6-10 perches to west side of creek; thence through middle of public road leading to Bald Eagle north 60 west 61 perches to point formerly oak stump; thence on middle of said road south 85 west 26 6-10 perches to line of John Snodgrass and Joseph Hanna; thence on line of said Snodgrass and Hanna south 5 west 128 perches to centre of railroad; thence on same line and course 106 9-10 perches to point on line of Margaret Robinson and Captain Brady; thence on said line now Platt south 84 east 16 perches to public road; thence same corner on land of Francis Platt 71 5-10 perches to point corner of Francis Platt and Wilson Elder; thence through Wilson Elder's south $60\frac{1}{2}$ east 50 5-10 perches to line of town lots; thence to south corner of Wilson Walker's lot south 87 east 16 perches to point; thence by the Whitehead Jones survey south 14 east 148 6-10 perches to line of Lamar Township; thence on said line north 82 east 16 perches to point near office of Robert Mann; thence across breast of dam south $85\frac{1}{2}$ east 18 9-10 perches to large stone; thence down Fishing Creek north 3 west 32 perches to small white pine, down creek north $22\frac{1}{2}$ west 14 4-10 perches to small hemlock; thence down creek north 12 west 24 8-10 perches to crooked hemlock at edge of water; thence down creek north $3\frac{1}{2}$ west 15 5-10 perches to south corner of log bridge; thence across said bridge north 18 west 14 3-10 perches to white pine; thence north 25 west 11 perches to a chestnut; north $33\frac{1}{2}$ west 8 perches to a gum tree; thence north $25\frac{1}{2}$ west 28 perches to a large white pine; thence north $18\frac{1}{2}$ west 16 4-10 perches to buttonwood on old corner of the original borough survey; thence on the old borough lines as formerly run in the old incorporation to the place of beginning, desire to be admitted to the borough of Mill Hall: Therefore be it ordained by the chief burgess and town council of the borough of Mill Hall, Pennsylvania, and it is hereby ordained by the authority of the same, that that part of the township of Bald Eagle lying in and between the said described limits is hereby admitted, and the said described section shall forever hereafter be deemed, taken, and allowed to be part of said borough of Mill Hall, and subject to the jurisdiction and government of the municipal authorities of said borough of Mill Hall, as fully as if the same had been originally a part of the said borough.

Aproved the third day of Sept., A. D. 1878.

Attest:

Sept. 11-3t.

F. M. WELSH, *Clerk.*

J. H. HICKOFF, *C. B.*

EXHIBIT No. 9.—*S. M. McCormick, notary public.*

Election proclamation.

Whereas by an act of general assembly of the commonwealth of Pennsylvania, entitled "An act relating to the elections of this commonwealth," passed the 2d of July, 1839, it is made the duty of the sheriff of every county to give notice of such election, and to make known in such notice what officers are to be elected:

Therefore, I, John Candor, high sheriff of the county of Clinton, do make known by this proclamation to the electors of said county that an election will be held on Tuesday, the 5th day of November, 1878, it being the first Tuesday after the first Monday of said month, in the several districts of Clinton County, as follows :

For the district composing the first ward of the city of Lock Haven, at the old court-house.

For the district composing the second ward of the city of Lock Haven, at the court-house.

For the district composing the third ward of the city of Lock Haven, at the public school-house on Church street.

For the district composing the fourth ward of the city of Lock Haven, at the National Hotel.

For the district composed of Allison Township, at the public school-house, corner of Sturdivant and High streets, in the village of Flemington.

For the district composed of Woodward Township, at the public house formerly occupied by Robert Hanna.

For the district composed of Dunnstable Township, at the house of A. & M. Quigley.

For the district composed of Pine Creek Township, at the public house now occupied by Mrs. H. Smith.

For the district composed of Wayne Township, at the station house.

For the district composed of Liedy Township, at the house of Isaac Summerson.

For the district composed of Crawford Township, at the house of Israel W. Fravel.

For the district composed of Logan Township, at the Tylerville school-house.

For the district composed of Green Township, at the house lately occupied as an office by Levi Conser in Logansville.

For the district composed of Lamar Township, in the town hall at Salona.

For the district composed of Porter Township, at the school-house in Clintonville.

For the district composed of Gallauher Township, at the house of John Springer.

For the district composed of Bald Eagle Township, at the office of Henry M. Bossert.

For the district composed of Beech Creek Township, at the house formerly occupied by Andrew White, in Florence.

For the district composed of Colebrook Township, at the school-house at Lick Run.

For the district composed of Chapman Township, at the public school house.

For the district composed of Noyes Township, at the public house of John W. Robbins.

For the district composed of the borough of Renovo, at the public house formerly occupied by Jacob Ulrich, in said borough.

For the district composed of Grugan Township, at the house of James Grugan.

For the district composed of East Keating Township, at school house No. 1.

For the district composed of West Keating Township, at the house of James Moore.

For the district composed of the borough of Mill Hall, at school house No. 1, in said borough.

For the district composing the borough of Beech Creek, at the school house in said borough.

For the district composing the borough of Logansville, at the school house in said borough.

For the district composed of Castanea Township, at the school house in the village of Castanea.

At which time and place the freemen of Clinton County will vote by ballot for the following, namely :

One person for governor.

One person for lieutenant governor.

One person for judge of the supreme court.

One person for secretary of internal affairs.

One person for judge of the district composed of Centre, Clinton, and Clearfield Counties.

One person to represent the counties of Union, Clinton, Clearfield, Elk, Mifflin, and Centre in the Congress of the United States.

One person for assembly.

One person to represent the counties of Centre, Clearfield, and Clinton in the State senate.

One person for sheriff.

One person for county treasurer.

One person for district attorney.

Three persons for county commissions.

Three persons for county auditors.

SPECIAL ATTENTION

is hereby directed to the 8th article of the constitution of the commonwealth, as follows :

SECTION 1. Every male citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections :

First. He shall have been a citizen of the United States at least one month.

Second. He shall have resided in the State one year (or if having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If twenty-two years of age or upwards, he shall have paid within two years a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

SECTION 4. All elections by the citizens shall be by ballot. Every ballot voted shall be numbered in the order in which it shall be received, and the number recorded by the election officers on the list of voters, opposite the name of the elector who presents the ballot. Any elector may write his name upon his ticket, or cause the same to be written thereon and attested by a citizen of the district. The election officers shall be sworn or affirmed not to disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

SEC. 5. Electors shall in all cases except treason, felony, and breach of surety of the peace, be privileged from arrest during their attendance on elections and in going to and returning therefrom.

SEC. 7. All laws regulating the holding of elections by the citizens or

for the registration of electors, shall be uniform throughout the State, but no elector shall be deprived of the privilege of voting by reason of his name not being registered.

SEC. 8. Any person who shall give, or promise or offer to give, to an elector, any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, or who shall give or promise to give such consideration to any other person or party for such elector's vote or for the withholding thereof, and any elector who shall receive or agree to receive, for himself or for another, any money, reward, or other valuable consideration for his vote at an election, or for withholding the same, shall thereby forfeit the right to vote at such election, and any elector whose right to vote shall be challenged for such cause before the election officers, shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received.

SEC. 9. Any person who shall, while a candidate for office, be guilty of bribery, fraud, or willful violation of any election law, shall be forever disqualified from holding an office of trust or profit in this commonwealth. Any person convicted of willful violation of the election laws shall, in addition to any penalties provided by law, be deprived of the right of suffrage absolutely for a term of four years.

SEC. 13. For the purpose of voting no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while employed in the service, either civil or military, of this State, or of the United States, nor while engaged in the navigation of the waters of the State, or the United States, or on the high seas, nor while a student of any institution of learning, nor while kept in any poorhouse or other asylum at public expense, nor while confined in public prison.

SEC. 14. District election boards shall consist of a judge and two inspectors who shall be chosen annually by the citizens. Each elector shall have the right to vote for the judge and one inspector, and each inspector shall appoint one clerk. The first election board for any new district shall be selected, and vacancies in election boards filled, as shall be provided by law. Election officers shall be privileged from arrest upon days of election and while engaged in making up and transmitting returns, except upon a warrant of a court of record or a judge thereof, for an election fraud, for felony, or for wanton breach of the peace. In cities they may claim exemption from jury duty during their term of service.

SEC. 15. No person shall be qualified to serve as an election officer who shall hold, or shall within two months have held, any office or appointment or employment in or under the Government of the United States, or of this State, or of any city or county, or of any municipal board, commission or trust in any city, save only justices of the peace and aldermen, notaries public, and persons in militia service of the State; nor shall any election officer be eligible to any civil office to be filled at an election at which he shall serve, save only to such subordinate, municipal or local offices below the grade of city or county officers, as shall be designated by general law.

REGISTRATION.

And also the following acts of assembly now in force in this State:

SEC. 10. On the day of election any person whose name shall not appear on the registry of voters, and who claims the right to vote at said elec-

tion, shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter, for the period of at least two months immediately preceding said election, which witness shall be sworn or affirmed and subscribe a written or partly written and partly printed affidavit to the facts stated by him, which affidavit shall define clearly where the residence is of the person so claiming to be a voter, and the person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit, stating, to the best of his knowledge and belief, when and where he was born; that he has been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that he has resided in the commonwealth one year, or if formerly a qualified elector or a native-born citizen thereof, and has removed therefrom and returned, that he has resided therein six months next preceding said election; that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election; that he has not moved into the district for the purpose of voting therein; that he has, if twenty-two years of age or upwards, paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election. The said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed and when and where and to whom paid; and the tax receipt therefor shall be produced for examination, unless the affiant shall state in his affidavit that it has been lost or destroyed, or that he never received any; and if a naturalized citizen, shall also state when, where, and by what court he was naturalized and shall produce his certificate of naturalization for examination. But if the person so claiming the right to vote shall take and subscribe an affidavit that he is a native-born citizen of the United States, or, if born elsewhere, shall state the fact in his affidavit, and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his father's naturalization, and shall further state in his affidavit that he is, at the time of making the affidavit, of the age of twenty-one and under twenty-two years; that he has been a citizen of the United States one month, and has resided in the State one year; or if a native-born citizen of the State and removed therefrom and returned, that he has resided therein six months next preceding said election, and in the election district immediately two months preceding such election, he shall be entitled to vote although he shall not have paid taxes. The said affidavits of all persons making such claims, and the affidavits of the witnesses to their residence, shall be preserved by the election board, and at the close of the election they shall be enclosed with the list of voters, tally-list, and other papers required by law to be filled by the return judge with the prothonotary, and shall remain on file therewith in the prothonotary's office, subject to examination as other election papers are. If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote, and his name shall be added to the list of taxables by the election officers, the word "tax" being added where the claimant claims to vote on tax, and the word "age" where he claims to vote on age; the same words being added by the clerks in each case, respectively, on the list of persons voting at such election.

SEC. 11. It shall be lawful for any qualified citizen of the district, notwithstanding the name of the proposed voter is contained on the list of resident taxables, to challenge the vote of such person, whereupon the same proof of the right of suffrage as is now required by law shall be

publicly made and acted upon by the election board, and the vote admitted or rejected according to the evidence. Every person claiming to be a naturalized citizen shall be required to produce his naturalization certificate at the election before voting, except where he has been for five years consecutively a voter in the district where he offers a vote; and on the vote of such person being received, the election officers are to write or stamp the word "voted" on his certificate, with the day, month, and year, and if any election officer or officers shall receive a second vote on the same day by virtue of the same certificate, except where sons are entitled to vote because of the naturalization of their father, they and the person who shall offer such second vote shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, at the discretion of the court; but the fine shall not exceed five hundred dollars in each case nor the imprisonment more than one year. The like punishment shall be inflicted, on conviction, on the officers of election who shall neglect or refuse to make or cause to be made the indorsement required as aforesaid on said naturalization certificate.

SEC. 12. If any election officer shall refuse or neglect to require such proof of the right of suffrage as is prescribed by this law or the laws to which this is a supplement, from any person offering to vote whose name is not on the list of assessed voters, or whose right to vote is challenged by any qualified voter present, and shall admit such person to vote without requiring such proof, every person so offending shall, upon conviction, be guilty of a misdemeanor, and shall be sentenced for every such offense to pay a fine not exceeding five hundred dollars, or undergo an imprisonment of not more than one year, or both, at the discretion of the court.

SEC. 19. Any assessor, election officers, or person appointed as an overseer, who shall neglect or refuse to perform any duty enjoined by this act without reasonable or legal cause, shall be subject to a penalty of one hundred dollars; and if any assessor shall knowingly assess any person as a voter who is not qualified, or who shall willfully refuse to assess any one who is qualified, he shall be guilty of a misdemeanor in office, and, on conviction, be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding two years, or both, at the discretion of the court, and also be subject to an action for damages by the party aggrieved; and if any person shall fraudulently alter, add to, deface, or destroy any list of voters made out as directed by this act, or tear down or remove the same from the place where it has been fixed, with fraudulent or mischievous intent, or for any improper purpose, the person so offending shall be guilty of a misdemeanor, and, on conviction, shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding two years, or both, at the discretion of the court; and if any person shall, by violence or intimidation, drive or attempt to drive from the polls any person or persons appointed by the court to act as overseers of an election, or in any way willfully prevent said overseers from performing the duties enjoined upon them by this act, such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court. Any person who shall on the day of any election visit a polling place in any election district which he is not entitled to vote, and shall use any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law, or for the purpose of preventing any qualified voter of such district

exercising his right to vote, or from exercising his right to challenge any person offering to vote, such person shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court. Any clerk, overseer, or election officer who shall disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court.

ELECTION BOARD OATHS.

The inspectors, judge, and clerks required by law to hold township and general elections shall take and subscribe the several oaths and affirmations required by the 19th, 20th, and 21st sections of the act of 2nd day of July, 1839, "An act relating to the elections of this commonwealth," which oaths or affirmations shall be prepared or administered in the manner prescribed in the 18th and 22d sections of said act, and in addition to the power conferred by the 18th section of said act, the judge, or either of the inspectors, shall have power to administer the oaths prescribed by said act to any clerk of a general, special, or township election.

The following shall be the form of the oath or affirmation to be taken by each inspector, viz: "I [A. B.] do ——— that I will duly attend to the ensuing election during the continuance thereof as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to a vote at such election without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding, but that I will in all things truly and impartially and faithfully perform my duty therein to the best of my judgment and abilities, and that I am not, directly or indirectly, interested in any bet or wager on the result of this election."

The following shall be the oath or affirmation of each judge, viz: "I [A. B.] do ——— that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others, and I will make a true and perfect return of the said election, and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election."

The following shall be the form of oath or affirmation to be taken by each clerk, viz: "I [A. B.] do ——— that I will impartially and truly write down the name of each elector who shall vote at the ensuing elec-

tion which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspector thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding."

TICKETS TO BE VOTED.

The qualified electors will take notice of the following act of assembly, approved the 12th day of March, 1866, "An act regulating the mode of voting at all elections in the several counties of this commonwealth."

SECTION 1. Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, That the qualified voters of the several counties of this commonwealth at all general, township, borough, and special elections are hereby hereafter authorized and required to vote by tickets, printed or written, or partly printed or partly written, severally classified as follows: One ticket shall embrace the name of judges of courts voted for, and to be labeled outside "judiciary"; one ticket shall embrace the names of all State officers voted for, and be labeled "State"; one ticket shall embrace the names of all officers voted for, including the office of senator and members of assembly, voted for, and be labeled "county"; one ticket shall embrace the names of all township officers voted for, and be labeled "township"; one ticket shall embrace the names of all borough officers voted for, and shall be labeled "borough"; and each class shall be deposited in separate ballot-boxes.

SEC. 2. That it shall be the duty of the sheriffs of the several counties of this commonwealth to insert in their election proclamations hereafter issued the first sections of this act.

JAMES R. KELLY,
Speaker of the House of Representatives.
DAVID FLEMING,
Speaker of the Senate.

Approved the thirteenth day of March, A. D. one thousand eight hundred and sixty-six.

A. G. CURTIN.

FIFTEENTH AMENDMENT.

Whereas the Congress of the United States on the 31st day of March, 1870, passed an act entitled "An act to enforce the right of citizens of the United States to vote in the several States of this Union, and for other purposes," the first and second sections of which are as follows:

SECTION 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote

at any election by the people in any State, Territory, district, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude, any constitution, law, custom, usage, or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

SEC. 2. And be it further enacted, That by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or law persons or officers are or shall be charged with the performance of duties in furnishing to citizens an opportunity to perform such requisite, or to become qualified to vote, it shall be the duty of every such person and officer to give to all citizens of the United States the same and equal opportunity to perform such prerequisite, and to become qualified to vote, without distinction of race, color, or previous condition of servitude; and if such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs and such allowance for counsel fees as the court shall deem just; and shall also, for every such offense, be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month nor more than one year, or both, at the discretion of the court.

HOW TO MAKE RETURNS.

SEC. 13. As soon as the polls shall close the officers of election shall proceed to count all the votes cast for each candidate voted for, and make a full return of the same in triplicate, with a return sheet in addition, in all of which the votes received by each candidate shall be given after his or her name, first in words and again in figures, and shall be signed by all of said officers and certified by overseers, if any, or if not so certified, the overseers and any officers refusing to sign or certify, or either of them, shall write upon each of the returns his or their reasons for not signing or certifying them. The vote as soon as counted shall also be publicly and fully declared from the window to the citizens present, and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted, and the same shall be immediately posted up on the door of the election house for the information of the public. The triplicate returns shall be inclosed in envelopes and be sealed in presence of the officers, and one envelope, with the unsealed return sheet, given to the judge, which shall contain one list of voters, tally paper, and oaths of officers, and another of said envelopes shall be given to the minority inspector. All judges living within twelve miles of the prothonotary's office, or within twenty-four miles, if their residence be in a town, village, or city upon the line of a railroad leading to the county seat, shall before 2 o'clock post meridian of the day after the election, and all other judges shall, before twelve o'clock meridian of the second day after the election, deliver said return, together with return sheet, to the prothonotary of the court of common pleas of the county, which said return sheet shall be filed, and the day and hour of filing marked thereon, and shall be preserved by the prothonotary for public inspection. At twelve o'clock on the said second day following any election the prothonotary of the court of common pleas shall present the said returns

to the said court. In counties where there is no resident president judge the associate judges shall perform the duties imposed upon the court of common pleas, which shall convene for said purpose; the return presented by the prothonotary shall be opened by said court and computed by such of its officers and such sworn assistants as the court shall appoint, in the presence of the judge or judges of the said court, and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges; and the vote as so computed and certified shall be made a matter of record in said court. The sessions of said court are open to the public. And in case the return of any election district shall be missing when the returns are presented, or in case of complaint of a qualified elector under oath, charging palpable fraud or mistake, and particularly specifying the alleged fraud or mistake, or where fraud or mistake is apparent on the return, the court shall examine the return, and if in the judgment of the court it shall be necessary to a just return, said court shall issue summary process against the election officers and overseers, if any, of the election district complained of, to bring them forthwith into court, with all election papers in their possession; and if palpable mistake or fraud shall be discovered, it shall, upon such hearing as may be deemed necessary to enlighten the court, be corrected by the court, and so certified; but all allegations of palpable fraud or mistake shall be decided by the said court within three days after the day the returns are brought into court for computation; and the said inquiry shall be directed only to palpable fraud or mistake, and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law; and the other said triplicate returns shall be placed in the box and sealed up with the ballots. Nothing in this act shall require the returns of elections of township or borough officers to be made to the court as directed in this section, but all returns of the election of township and borough officers shall be enclosed in a sealed cover, directed to the prothonotary of the court of common pleas of the proper county, and shall, by some one of them, be delivered into his office within three days after every such election and filed therein.

* * * * *

DISTRICT RETURN JUDGES.

When two or more counties are connected for the election of any officer, the courts of such counties shall each appoint a return judge to meet at such a time and place as required by law, to compute and certify the vote of such district. All officers provided for by this act shall be compensated as like officers are paid by existing laws. Whenever a place has been or shall be provided by the authorities of any city, county, township, or borough for the safe keeping of the ballot boxes, the judge and minority inspector shall, after the election shall be finished and the ballot box or boxes containing the tickets, list of voters and other papers, have been securely bound with tape and sealed, and the signatures of the judge and inspectors affixed thereto, forthwith deliver the same, together with the remaining boxes, to the mayor and recorder of such city, or in counties, townships, or boroughs, to such person or persons as the court of common pleas of the proper county may designate, at the place provided as aforesaid, who shall then deposit the said boxes and keep the same to answer the call of any court or tribunal authorized to try the merits of such election. Whenever the election officers of any district shall require the election boxes of

such district to hold any election which by law they are or shall be required to hold, they shall keep the same securely in their possession, without opening until the morning of such election, and until they shall severally be sworn or affirmed not to disclose how any elector shall have voted, and after being so sworn or affirmed, they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein, before proceeding to hold such election.

CONTESTED ELECTIONS.

That whenever, in contested elections of president or additional law judges, senators, and members of the house of representatives, and of county, borough, township, or municipal officers, under the provisions of the ninth section of an act entitled "An act designating the several classes of contested elections in this commonwealth, and providing for the trial thereof," approved the nineteenth day of May, anno Domini eighteen hundred and seventy-four, wherein it is provided that in contested elections of president or additional law judges, senators, and members of the house of representatives, and of county, borough, township, or municipal officers, in which the court or judge shall not decide that the complaint is without probable cause, the proper district, county, city, township, borough, ward, school district, or municipality shall be liable to pay all costs, and the same shall be promptly paid by the proper authorities and upon the order of the court or judge trying the case, if any court or judge shall have heretofore decided, or shall hereafter decide, that the complaint was not, or is not, without probable cause, the said court or judge is hereby authorized and shall apportion all the costs among the proper districts, counties, cities, townships, boroughs, wards, school districts, or municipalities of the whole district in which the contest is had, in such way as said court or judge shall think just, and to compel by order the payment of such amounts so appropriated to each of the properly constituted authorities of each of the proper districts, counties, cities, townships, boroughs, wards, school districts or municipalities as the payments of debts by the same can now be enforced.

Given under my hand at my office, in Lock Haven, this 23d day of September, in the year of our Lord one thousand eight hundred and seventy-eight, and in the one hundred and third year of the Independence of the United States.

JOHN CANDOR,
Sheriff.

SHERIFF'S OFFICE,
Lock Haven, Sept. 23, 1878.

EXHIBIT 10.

Copy of poll-list.

List of names of persons who voted at the election held at the public house formerly occupied by J. Ulrick, in the election district of borough of Renovo, Clinton County, Pennsylvania, on the 5th day of November, 1878.

1 Henry Keller
2 John T. Brown
3 Z. M. P. Baird

4 N. L. Sterner
5 A. J. Rooney
6 Hen. M. Wilson

- | | |
|----------------------------------|-----------------------------|
| 7 F. M. Elliott | 63 Foresythe Petrican |
| 8 Thomas Flinn | 64 Michael Heavener |
| 9 A. H. Corrinth | 65 Thos. Hitchcock |
| 10 Peter McCormac | 66 John Karny |
| 11 Michael Costello, jr. | 67 Daniel Haley |
| 12 William Coonrod | 68 James C. Dean |
| 13 John Kane | 69 John U. Shaffer |
| 14 Jerrey Snyder | 70 Michael Matimore |
| 15 Patric Kane | 71 George Bergers |
| 16 John McMahon | 72 John B. Clark |
| 17 Chas. Foy | 73 W. W. McCoy |
| 18 Edward Ildolfus | 74 John Clark, jr. |
| 19 Lemuel Quinn | 75 Henry Glah |
| 20 W. G. Hollister | 76 John Hogland |
| 21 Henry A. Oster | 77 Patric Leidy |
| 22 Anthony Pfiffer | 78 John Scott |
| 23 J. R. Deckard | 79 Peter Karney |
| 24 Patrick Sheeann | 80 James Brown |
| 25 Thomas Young | 81 Samuel Garman |
| 26 Chas. Richardson | 82 Joseph Whitbey, sr. |
| 27 G. W. Hitts | 83 John Gilson |
| 28 Stansberry Heller | 84 Timothy Obryan |
| 29 W. E. Lafferty | 85 George G. Kelley |
| 30 Chas. E. Smith | 86 B. F. Rumberger |
| 31 P. M. Cristey | 87 G. M. Elliott |
| 32 James F. Quinn | 88 John D. Kelley |
| 33 A. K. Pierce | 89 Peter Sexton |
| 34 Thomas Preirney | 90 James Hunter |
| 35 Michael Brinnon | 91 A. P. Melloy |
| 36 E. P. Dowling | 92 Jacob Markes |
| 37 Godfrey Biernviller | 93 James H. Baird (tax) |
| 38 R. N. Martin | 94 C. R. McCrea |
| 39 Seymour B. Hartranft (on age) | 95 S. D. Sinmers |
| 40 Francis M. Gault (tax) | 96 Patric Shelley |
| 41 H. V. Washburn | 97 Peter Ohagan |
| 42 D. M. May | 98 Thomas Patton |
| 43 Jno. O'Connell (tax) | 99 George Lee |
| 44 H. A. Gapp | 100 S. S. Renner (tax) |
| 45 C. A. Braden | 101 John Weil |
| 46 Robt. L. McCoy | 102 Michael Blanch |
| 47 John Fox, sr. | 103 Samuel D. Tanner |
| 48 Wm. E. Hall | 104 George Anderson |
| 49 Jacob Givler | 105 Richard Walthal |
| 50 G. W. Sapp | 106 W. H. Messinger |
| 51 Samuel Molson | 107 D. H. Ball |
| 52 Newton Wells | 108 Moses Glass |
| 53 W. K. Chestnut | 109 Michael Clarey |
| 54 Abraham Kupp | 110 Edward Dowling |
| 55 William Guthern | 111 C. F. Thomas |
| 56 Wm. Nixon | 112 G. W. Fessler |
| 57 M. B. Gist | 113 Aron Elliott |
| 58 Wm. P. Baird | 114 George P. Swerley |
| 59 Christopher Koller | 115 Chas. H. Potts (on age) |
| 60 J. M. McCloskey | 116 Luke Binder |
| 61 Maurace F. Malloney | 117 George L. Potter |
| 62 John E. Haggerty | 118 Nichademus Shmidt |

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|-------------------------|-------------------------|
| 119 James A. Williams | 175 Hurmon Uhl |
| 120 Michael Finn | 176 John Neylon |
| 121 John Collins | 177 A. N. Stevenson |
| 122 A. P. Russell | 178 W. C. Welty |
| 123 Joseph R. Kendig | 179 G. W. Cortebine |
| 124 Joseph Vincent | 180 J. J. Cummings |
| 125 John I. Smith | 181 Daniel McCaigue |
| 126 Frank Carlson | 182 W. H. Melloy |
| 127 John Ward | 183 Jacob Woodling |
| 128 Robert E. Philips | 184 John C. Healey |
| 129 Nicholas Donavan | 185 L. Totingham |
| 130 Mathew Dean | 186 Frank Costello |
| 131 Frank Harvey | 187 McCormac Greyham |
| 132 Josiah McManagle | 188 Patric Russell |
| 133 John M. Stout | 189 A. Dravenstott |
| 134 Joseph Vinnette | 190 Wm. H. Thomas |
| 135 Michel Stout | 191 C. P. Moore |
| 136 Walter Rodkey | 192 Chas. Crites |
| 137 E. B. Westfall | 193 A. L. Clinton |
| 138 Emanuel Myers | 194 Thomas Hunt |
| 139 Frederick Hytner | 195 Gideon Ginter |
| 140 John Smith | 196 Harvey Middleton |
| 141 Samuel C. Barr | 197 D. J. Reese |
| 142 Luther Sidel | 198 Chas. Baugh |
| 143 John Diver | 199 Wm. Gaiger |
| 144 Samuel Vincent | 200 Jno. Crites |
| 145 Chas H. Woods (age) | 201 M. C. Lafferty |
| 146 A. G. Kerling | 202 Wm. Hollsinger |
| 147 Wm. R. Dunham | 203 Dennis Callahan |
| 148 G. W. Bowen (age) | 204 G. W. Fessler |
| 149 James Evvans | 205 R. M. Messimer |
| 150 James O'Hagan | 206 Philip Stout |
| 151 Samuel Kelley | 207 N. B. Roberts |
| 152 James Reilley (age) | 208 Samuel Melloy |
| 153 James R. Mills | 209 R. W. Flowers |
| 154 Chas. C. Johnson | 210 James Shea |
| 155 Edward Vanriper | 211 George Rutledge |
| 156 Henary Forester | 212 William T. Rutledge |
| 157 P. H. Hoofman | 213 John Slattery |
| 158 Wm. Nester | 214 Geo. Woodall |
| 159 G. W. Singiser | 215 Paul Rieple |
| 160 S. E. Steadman | 216 Geo. Fox |
| 161 Michael Castello | 217 A. B. Greyham |
| 162 Joshua Stamford | 218 John Burk |
| 163 Thomas Moore | 219 Wm. Koller |
| 164 Wilbert Irwin | 220 Wm. Woodall |
| 165 C. R. Hostetler | 221 Patt Duffey |
| 166 John W. Geary | 222 Geo. Paine |
| 167 John Zimmerman | 223 A. W. Cheeseman |
| 168 John Reilley | 224 J. F. Bowers |
| 169 Thomas V. Mulhagan | 225 Albert Kelley |
| 170 Joseph F. Good | 226 Robt. McCloskey |
| 171 Jacob Keppler | 227 Chas Foust |
| 172 John A. McConnell | 228 Thomas Neylon |
| 173 Patric Learry | 229 John Conway |
| 174 Thomas Geary | 230 Cornellias Minahan |

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|--------------------------------|-------------------------------|
| 231 Jacob Simcocks | 287 Bernard Kelley |
| 232 Dan Mulverhill | 288 Chas. Gibbs |
| 233 J. M. Beck | 289 Rolland Glenn |
| 234 Geo. Bazzel | 290 W. L. Forrester |
| 235 John Rieppel | 291 D. J. Conners |
| 236 Harey Kline | 292 Lewis Putt |
| 237 M. A. Shank | 293 Michel Woddey |
| 238 John Crawford | 294 John W. Sheldon |
| 239 Michel O'Heley | 295 James P. Beckley |
| 240 David E. Kendig | 296 E. W. Edmondson |
| 241 J. P. Sensenbaugh | 297 Frederick Espenshade |
| 242 Geo. Seibert | 298 A. M. Duerell |
| 243 Wm. D. Harper | 299 F. H. Donaldson |
| 244 John Weaver | 300 Cornelius Mulverhill |
| 245 Bernard J. Smithe | 301 A. J. Walker |
| 246 Samuel J. Bennett | 302 John Bailley |
| 247 James Murphey | 303 B. B. Hickman |
| 248 Samuel Karnes | 304 Isaac Crawford |
| 249 H. K. Stout | 305 R. B. Donaldson |
| 250 John F. Feaster | 306 F. X. Koller |
| 251 James Elliott | 307 U. S. Titus |
| 252 Jerrey Billon | 308 Wm. P. Mack |
| 253 W. B. McGill | 309 John Kilgus |
| 254 Rodger Fowler | 310 James Huston |
| 255 John Allen | 311 Chris. Long |
| 256 Joseph Spenscer | 312 Wash H. Weidler |
| 257 Patric McCartey | 313 Frank Givin |
| 258 Samuel McCaigue | 314 Theodore Singer |
| 259 Joseph Hall | 315 Patrick O'Connell |
| 260 Philip Sneck | 316 P. C. Moyer |
| 261 James Welsh (age) | 317 Jos. R. Shuster |
| 262 E. A. Beck | 318 Chas. Feaster (age) |
| 263 S. M. Wirts | 319 Patric Lennon |
| 264 J. H. Harriss | 320 Chas. M. Balliott |
| 265 C. A. Schroyer | 321 Joseph Whitbey, jr. (age) |
| 266 J. A. Williams | 322 Wm. Carroll |
| 267 John M. Maurris | 323 Wm. Ward |
| 268 William Welch | 324 V. Crouse |
| 269 Per. Curlson | 325 F. A. D. Hawksworth |
| 270 Jacob Koch | 326 E. T. Swain |
| 271 Ira C. Hall | 327 James Lyman |
| 272 Peter Koller | 328 J. W. Steel |
| 273 Peter Palmer | 329 Wm. Youtz |
| 274 Thos. Farrell | 330 R. W. Knox |
| 275 W. J. Orr | 331 W. H. Ginter |
| 276 Millard F. Saxton (on age) | 332 Thomas Burk |
| 277 John Malloney | 333 Andrew McGill |
| 278 Samuel Deyder | 334 O. W. Barney |
| 279 Samuel Homen | 335 Cornelius Sullivan |
| 280 H. T. McConnell | 336 Patric McMahan |
| 281 Martin Neylon | 337 Conrod Glah |
| 282 H. C. Reyfsnyder | 338 Anthony Burkie |
| 283 John Kealey | 339 R. D. Simpson |
| 284 Chas. Alvalter | 340 John McCord |
| 285 John J. Boyer | 341 Francis Bissetts |
| 286 Edward Glenn | 342 Jas. S. Hall |

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|---------------------------|------------------------|
| 343 Daniel Spungler | 399 Charles Haggan |
| 344 Edward Croak | 400 Chas. E. Elliott |
| 345 Thomas Mitchell (age) | 401 Edward Goldsberry |
| 346 A. J. Smith | 402 John M. Bellford |
| 347 James D. Glenn | 403 Frank Benton |
| 348 Eli Jas. Allen | 404 I. P. Mason |
| 349 Michel Ryan | 405 John E. Bressler |
| 350 Geo. W. Melloy | 406 Bodine Burnhey |
| 351 Geo. Swoyer | 407 Thos. Meehan |
| 352 Jacob Stouffer | 408 James Crow |
| 353 J. H. Travis | 409 Barton A. Leshner |
| 354 Thomas Hawksworth | 410 Geo. Tarbol |
| 355 Thomas McCrann | 411 John Lennord |
| 356 Chas. Welsh | 412 S. L. Hain |
| 357 Robert McManagle | 413 Andrew Roan |
| 358 Thomas Layden | 414 Samel M. Hall |
| 359 Martin Murphey | 415 James W. Crowley |
| 360 Stephen Ryder | 416 Christopher Clonen |
| 361 Richard Tayler | 417 John Desmond |
| 362 John G. Osner | 418 W. C. Holliahan |
| 363 John Jones | 419 R. F. Bennage |
| 364 Neil McCallum | 420 Geo. R. McCrea |
| 365 Henry Albricht | 421 Seibert Jurgen |
| 366 W. B. Jordan | 422 H. J. Keppler |
| 367 D. L. Sanders | 423 M. J. McMahon |
| 368 Hugh Turley | 424 J. L. Robison |
| 369 Geo. McDonnald | 425 J. F. Cross |
| 370 John S. Kupp | 426 Henary McCartey |
| 371 John Kepperley | 427 J. A. Herron |
| 372 John Karnes | 428 Earnest Uhl |
| 373 William Feaster | 429 Edward Burk |
| 374 Wm. Flick | 430 Samuel Kelley |
| 375 John Connley | 431 Patrick Dehaer |
| 376 Jesse Rutledge, sr. | 432 Chas. Knutson |
| 377 Peter Mulverhill | 433 George Paul |
| 378 Philip McCaigue | 434 Jno. E. Sullivan |
| 379 Thomas Gorwin | 435 J. H. Bell |
| 380 Geo. H. Felmlee | 436 John S. Neeley |
| 381 Isaac Fox | 437 Edward Gardner |
| 382 Putnam Welles | 438 U. S. N. Crouse |
| 383 F. A. Thomas | 439 Mathue McGlaughlin |
| 384 Miles Irwin | 440 Thomas Woods |
| 385 Frank Montgomery | 441 Jacob Lovett |
| 386 James M. Young | 442 Wm. Dewire |
| 387 Edward McCurdy | 443 Thos. McClain |
| 388 P. H. Sullivan | 444 John Linch |
| 389 Edward Hoggan | 445 Patric Brinnan |
| 390 G. W. Huber | 446 Wm. Edmondson |
| 391 Isaac McCaigue | 447 Z. T. Dougherty |
| 392 H. L. Roberts | 448 Milton J. Wells |
| 393 J. W. Hollingsworth | 449 D. F. Sommerson |
| 394 A. R. Mitchell | 450 John Duffey |
| 395 Jas. Neylon | 451 Edward Turley |
| 396 W. J. McCrea | 452 Geo. J. Hahn |
| 397 J. F. Simpson | 453 Edward Mc'Connell |
| 398 John C. Brown | 454 Augustus Koskey |

455 Wm. Bost	506 J. B. Bergstresser
456 Frank R. Thomas	507 Newton Wicks
457 H. P. Johnes	508 W. H. Wickerman
458 John M. Noble	509 Chris. Linderman
459 Malcolm McClallum	510 Stephen Hickey
460 Robt. McCrea	511 Michael Lovett
461 T. W. Nicholas	512 Wm. McIntosh
462 Wm. J. Ginter	513 James F. Merry
463 M. T. Neylon	514 Wm. M. Edmunds
464 Jos. Burney	515 John H. Fox, jr.
465 Thomas C. Burk	516 John Considine
466 Terrance Olaughlin	517 James Judge
467 Michael Dayton	518 A. F. Moody
468 John Flannagan	519 Jacob Legler (tax)
469 James McGill	520 Daniel Hayes
470 Wm. Maroney	521 John Minahan
471 Wm. Clayberger	522 Oliver Snyder
472 Jos. Green	523 Wm. Sinnott
473 Richard Burk	524 J. F. Emery
474 Michel Freel	525 Albert Haffley
475 Edward McCartey	526 James H. Pierce
476 Daniel Roat	527 Samuel Fralley
477 Michel McDermott	528 John Haffley
478 Ferdinand Schultz	529 John Gorman
479 John Roan	530 A. C. Derr
480 Bernard Willmas	531 Samuel Gordon
481 John T. Simpson	532 Chas. Neff
482 John G. Healley	533 Humphrey Chesley
483 Henary Myers	534 Jessey Deal
484 Michel Dewire	535 George M. Kortebine
485 David Russel	536 Chas. Eagle
486 Thomas Herron	537 John B. Harris
487 James R. Glass	538 David Fralley
488 John Nagle	539 A. M. Hurch
489 W. F. Brickman	540 Francis Farley
490 Elias Pfaff	541 Joseph Espenshade
491 James Lovett	542 Patric Minahan
492 David Long	543 John B. Michael
493 Aloo M. Stout	544 Benjamin Nicholas
494 J. M. Spangler	545 John W. Norrie
495 Albert Wickert	546 George Ropp
496 W. W. Humes	547 Wm. Hitchcock
497 John H. Thomas	548 Timothy Callahan
498 Florrin Bruner	549 Michel Doyle
499 Edward Nixon	550 Chas. Shauk
500 John Smolley	551 Thos. Tayler
501 Chas. Russitt	552 John Snodgrass
502 John Simer	553 John Burackrie
503 W. H. Nicholas	554 H. J. Hess
504 George Ullery	555 George H. Bender
505 Chas. Uncle	556 Patric Murrey

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a

true and correct copy of and abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress ; also, a true and correct of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of the borough of Renovo, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Kaley, being duly sworn, say that to the best of my knowledge and belief I was born on the 9th day of Sept., A. D. 1841, in township of Rush, Schuylkill County ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past ; and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election ; which tax was assessed on the — day of —, 18—, in the county of Schuylkill, in and in the State of Pennsylvania, and was paid on the 20 day of October, 1877, to J. W. Lauck, collector of taxes for said county.

JOHN KALEY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, R. D. Simpson, being duly sworn, say that to the best of my knowledge and belief I was born on the 5th day of July, A. D. 1849, in Blair County, Pa. ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past ; and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election ; which tax was assessed on the — day of —, 18—, in the borough of Re-

novo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 13th day of Ap'l, 1878, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor.*

R. D. SIMPSON.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, W. P. Mack, being duly sworn, say that to the best of my knowledge and belief I was born on the 14th day of Feb., 1841, in Wilkesbarre, in the county of Luzerne; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the city of Reading, in the county of Berks, and in the State of Pennsylvania, and was paid on the 17th day of July, 1877, to Joseph Malsberger, collector of taxes for said city, **who gave me a receipt therefor.*

WM. P. MACK.

Sworn and subscribed this 15th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Chas. Neff, being duly sworn, say that to the best of my knowledge and belief I was born on the 23 day of Ap'l, 1854, in Clinton Co., Pennsylvania; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Columbia, in the county of Lancaster, and in the State of Pennsylvania, and was paid on the

*N. B. —The words in italics can be erased when not applicable.

— day of —, 18—, to —, collector of taxes for said —,
**who gave me a receipt therefor which has since been lost or destroyed.*

CHARLES NEFF.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, W. S. Titus, being duly sworn, say that to the best of my knowledge and belief I was born on the 13th day of Jan'y, A. D. 1842, in Easten, Northampton Co.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Pittston, in the county of Luzerne, and in the State of Pennsylvania, and was paid on the 24th day of Jan'y, 1878, to P. C. Rozelle, collector of taxes for said borough, **who gave me a receipt therefor.*

W. S. TITUS.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Samuel E. Kelley, being duly sworn, say: That to the best of my knowledge and belief I was born on the 19 day of May, A. D. 1850, in Bedford County, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 17 day of April, 1878, to John Zimmerman, collector of taxes for said borough.

S. E. KELLEY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

*N. B.—The words in italics can be erased when not applicable.

No. 3.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John T. Simpson, being duly sworn, say: That to the best of my knowledge and belief I was born on the 24th day of July, A. D. 1839, in Phil'a, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the city of Lock Haven, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day —, 18—, to Pete Beck, collector of taxes for said —, **who gave me a receipt therefor.*

JOHN T. SIMPSON.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, W. F. Brickman, being duly sworn, say: That to the best of my knowledge and belief I was born on the 6th day of Ap'l, A. D. 1852, in Phil'a, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the city of Phil'a, in the county of Phil'a, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

WM. F. BRICKMAN.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Smawly, being duly sworn, say: That to the best of my knowledge and belief, I was born on the 19th day of July, A. D. 1837,

*N. B.—The words in *italics* can be erased when not applicable.

in Huntingdon Co., Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 17 day of Ap'l, 1877, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor.*

JOHN SMAWLY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, Samuel Molson, being duly sworn, say: That to the best of my knowledge and belief, I was born on the — day of —, A. D. 18—, in —; that I am a citizen of the State of Pennsylvania and of the United States; that I have resided in said last mentioned State for one year last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least 60 and paid at least within 30 days before this election; which tax was assessed on the — day of —, 18—, in the — of —, in the county of —, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

Z. M. P. BAIRD.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, S. S. Renner, being duly sworn, say: That to the best of my knowledge and belief I was born on the 30th day of March, A. D. 1854, in Lock Haven, county aforesaid; that I am and have been a citizen of the United States for one month, and of the Commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein;

*N. B.—The words in *italics* can be erased when not applicable.

that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor, which has since been lost.*

SAM'L S. RENNER.

Sworn and subscribed this 5th day of November, 1878, before me.

W. K. CHESTNUT, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Anster C. Derr, being duly sworn, say: That to the best of my knowledge and belief, I was born on the 15th day of Feb'y, A. D. 1851, in Lewisburg, Pa.; that I am and have been a citizen of the United States for one month, and of the Commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Lewisburg, in the county of Union, and in the State of Pennsylvania, and was paid on the 10th day of June, 1878, to J. H. Walker, collector of taxes for said —, **who gave me a receipt therefor.*

A. C. DERR.

Sworn and subscribed this 5th day of N., 1878, before me.

W. K. CHESTNUT, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Chas. C. Johnson, being duly sworn, say: That to the best of my knowledge and belief, I was born on the 15th day of June, A. D. 1844, in the town Rye, State of New Hampshire; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which

* N. B.—The words in *italics* can be erased when not applicable.

tax was assessed on the — day of —, 18—, in the Wayne Township of —, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Symcox, collector of taxes for said —, **who gave me a receipt therefor.*

CHARLES C. JOHNSON.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Jacob Legler, being duly sworn, say : That, to the best of my knowledge and belief, I was born on the 19th day of June, A. D. 1848, in Schuylkill Co., Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the Frackwell of —, in the county of Schuylkill, and in the State of Pennsylvania, and was paid on the 20 day of Septr., 1877, to J. A. Lauck, collector of taxes for said borough, **who gave me a receipt therefor.*

JACOB LEGLER.

Sworn and subscribed this 5th day of Novr., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, James A. Williams, being duly sworn, say : That, to the best of my knowledge and belief, I was born on the 12 day of July, A. D. 1846, in State of N. Y.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1878, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid

*N. B.—The words in *italics* can be erased when not applicable.

on the 28 day of Aug., 1878, to P. Shelley, collector of taxes for said
 .

JAMES A. WILLIAMS.

Sworn and subscribed this 5th day of Novr., 1878, before me.

JOHN SMITH, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Nicholas Donovan, being duly sworn, say, that to the best of my knowledge and belief I was born on the 27th day of March, A. D. 1852, in Liberty, New York; that I am and have been a citizen of the United States for one month, and of the Commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor.*

N. DONOVAN.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, H. J. Kepler, being duly sworn, say: That to the best of my knowledge and belief I was born on the 15th day of Nov., A. D. 1836, in Clinton County, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 19th day of July, 1878, to John Zimmerman, collector of taxes for said borough.

HENRY J. KEPLER.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

*N. B.—The words in *Italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, H. C. McCarty, being duly sworn, say: That to the best of my knowledge and belief I was born on the 26 day of November, A. D. 1853, in Dauphin Co., Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said Renovo, **who gave me a receipt therefor.*

H. C. McCARTY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, Samuel M. Hall, being duly sworn, say: That to the best of my knowledge and belief I was born on the 16th day of Dec., A. D. 1849, in Centre County, Pa.; that I am and have been a citizen of the United States one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 18—, in the Liberty Township, in the county of Centre, in the State of Pennsylvania, and was paid on the 20th day of May, 1878, to J. D. Robb, collector of taxes for said township, **who gave me a receipt therefor.*

SAMUEL M. HALL.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

*N. B.—The words in *italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Geo. J. Hahn, being duly sworn, say: That to the best of my knowledge and belief I was born on the 7th day of June, A. D. 1849, in Berks County, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor.*

GEO. J. HAHNE.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Samuel L. Hain, being duly sworn, say that to the best of my knowledge and belief I was born on the 19th day of Jan'y, A. D. 1854, in Tremont, Schuylkill, Pa.; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State and county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said Borough, **who gave me a receipt therefor, which has since been lost or destroyed.*

SAM'L L. HAIN.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

* N. B.—The words in *italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, James H. Baird, being duly sworn, say that to the best of my knowledge and belief I was born on the — day of November, A. D. 1845, in the Borough of Renovo; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; **that I was formerly a citizen of Pennsylvania and removed therefrom, and have now resided therein six months next preceding this election;* and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 1877, to J. Zimmerman, collector of taxes for said borough, ** who gave me a receipt therefor, which has since been lost or destroyed.*

JAMES H. BAIRD.

Sworn and subscribed this 5th day of November, 1878, before me.

JOHN SMITH, J. P.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, J. U. Shaffer, being duly sworn, say that I am a qualified voter of the election district composed of the borough of Renovo in said county, and that I know James H. Baird, who now claims the right to vote therein, and have known him for six or more — and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of James H. Baird.

JOHN U. SHAFFER.

Sworn and subscribed this 5 day of Nov., 1878, before me.

JOHN SMITH, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Jacob Kepler, being duly sworn, say that to the best of my knowledge and belief I was born on the 15 day of July, A. D. 1856, in West.

* N. B.—The words in *italics* can be erased when not applicable.

port, State of Penna, in said county; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 1877, in the town of Westport, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18—, to Charles Noyes, collector of taxes for said taxes, ** who gave me a receipt therefor, which has since been lost or destroyed.*

JACOB KEPLER.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, Christ Koller, being duly sworn, say that to the best of my knowledge and belief I was born on the 12th day of Oct., A. D. 1852, in St. Mary's, Elk County; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; ** that I was formerly a citizen of Pennsylvania and removed therefrom, and have now resided therein six months next preceding this election;* and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the — of —, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to P. Shelly, collector of taxes for said county, ** who gave me a receipt therefor.*

CHRIST KOLLER.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, Chas. E. Smith, being duly sworn, say: That I am a qualified voter of the election district composed of the —, in said county,

** N. B.—The words in italics can be erased when not applicable.*

and that I know Francis Gault, who now claims the right to vote therein, and have known him for two years and upwards, and that said claimant for the last 60 days and upwards has resided in said election district, in the house of Squire Smith.

CHAS. E. SMITH.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, *J. P.*

N.o 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Francis M. Gault, being duly sworn, say that to the best of my knowledge and belief I was born on the 15th day of August, A. D. 1845, in the town of Greenwood, in Mifflin County; that I am a citizen of the State of Pennsylvania and of the United States; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least 60 and was paid at least 30 days before this election; which tax was assessed on the — day of —, 18—, in the — of —, in the county of Northumberland, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to Solomon Weaver, collector of taxes for said county, **who gave me a receipt therefor.*

FRANCIS M. GAULT.

Sworn and subscribed this fifth day of November, 1878, before me.

W. K. CHESTNUT, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, W. C. Welty, being duly sworn, say that to the best of my knowledge and belief I was born on the 7th day of March, A. D. 1844, in Tioga County; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 1877, in the city of Lock Haven, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 1877, to Rynocker, collector of taxes for said —.

W. C. WELTY.

*N. B. The words in *italics* can be erased when not applicable.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1784.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, W. H. Weidler, being duly sworn, say that to the best of my knowledge and belief I was born on the 27th day of Sept., A. D. 1830, in Lancaster Co., Pa.; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 1877, in the city of Lancaster, in the county of Lancaster, in the State of Pennsylvania, and was paid on the — day of —, 18—, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

WASH H. WEIDLER.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Thomas McClain, being duly sworn, say that to the best of my knowledge and belief I was born on the — day of —, A. D. 18—, in —; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1876, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 16th day of April, 1878, to John Zimmerman, collector of taxes for said Renovo.

THOMAS McLANE.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

*N. B.—The words in *italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, A. A. Burkee, being duly sworn, say that to the best of my knowledge and belief I was born on the 31st day of May, A. D. 1839, in Adams County, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of St. Mary's, in the county of Elk, and in the State of Pennsylvania, and was paid on the — day of —, 1877, to Weidenbrenner, collector of taxes for said borough, **who gave me a receipt therefor, which has since been lost or destroyed*

ANTHONY BURKEE.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Joseph P. Green, being duly sworn, say that to the best of my knowledge and belief I was born on the 20th day of May, A. D. 1844, in Berks County, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past, and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 1877, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 15th day of June, 1878, to John Zimmerman, collector for taxes for said borough.

JOSEPH P. GREEN.

Sworn and subscribed this 5th day of Nov, 1878, before me.

JOHN SMITH, *J. P.*

* N. B.—The words in *italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Michael Lovett, being duly sworn, say that to the best of my knowledge and belief I was born on the 10th day of Sept., A. D. 1851, in Lock Haven, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the 2nd day of Oct., 1878, to Pat'k Shelly, collector of taxes for said borough, * *who gave me a receipt therefor.*

MICHAEL LOVETT.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Michaels, being duly sworn, say that to the best of my knowledge and belief, I was born on the 3rd day of Oct., A. D. 1850, in Baltimore City, Md.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18 —, in the borough of Renovo, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18 —, to John Zimmerman, collector of taxes for said borough, * *who gave me a receipt therefor, which has since been lost or destroyed*

JOHN B. MICHAEL.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

* N. B.—The words in *italics* can be erased when not applicable.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Patrick Murry, being duly sworn, say that to the best of my knowledge and belief, I was born on the — day of March, A. D. 18—, in the county of Clair, Ireland; that I was duly naturalized on the 20 day of Oct., 1868, in the court Lycoming Co.; that I am citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 1878, in the bor. of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the 20 day of Sept., 1878, to Patrick Shelly, collector of taxes for said —.*

PATRICK MURRY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, *J. P.*

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Tim Kalehan, being duly sworn, say: That to the best of my knowledge and belief, I was born on the — day of —, A. D. 18—, in the Ireland; that I was duly naturalized on the — day of —, 18—, in the court of Clinton Co., Pa.; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18—, in the city of Lock Haven, in the county of Clinton, in the State of Pennsylvania, and was paid on the 17th day of July, 1877, to J. B. Rhinocker, collector of taxes for said —, **who gave me a receipt therefor.*

his
TIM + KALEHAN.
mark.

Sworn and subscribed this 5th day of Nov., 1878, before me

W. K. CHESTNUT, *J. P.*

*N. B.—The words in *italics* can be erased when not applicable.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, John Simer, being duly sworn say: That to the best of my knowledge and belief I was born on the 2nd day of Feb'y, A. D. 1852, in the Bremen, Germana; that I was duly naturalized on the 21st day of Sept., 1876, in the court of Clinton Co., Pa.; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18 , in the — of North Point, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18 , to Jacob Hamersly, collector of taxes for said township, **who gave me a receipt therefor, which has since been lost or destroyed.*

JOHN SIMER.

Sworn and subscribed this 5th day of Nov., 1878, before me
W. K. CHESTNUT, J. P.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, Augustus Kooska, being duly sworn say: That to the best of my knowledge and belief I was born on the 1st day of Aug., A. D. 1843, in the West Prusue Province, Germany; that I was duly naturalized on the 26th day of Sept., 1877, in the court of Clinton Co.; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 1877, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the 4th day of Oct., 1878, to John Zimmerman, collector of taxes for said —.*

AUGUST KOUSKA.

Sworn and subscribed this 5th day of Nov., 1878, before me.
JOHN SMITH, J. P.

*N. B.—The words in *italics* can be erased when not applicable.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Frederick Shultz, being duly sworn, say : That to the best of my knowledge and belief I was born on the 12th day of Sept., A. D. 1842, in the Prussia, Germany; that I was duly naturalized on the 17th day of Sept., 1878, in the court of Clinton County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18 , in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18 , to John Reily, collector of taxes for said borough, **who gave me a receipt therefor.*

FERDINAND SCHULTZ.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Thomas Garry, being duly sworn, say : That to the best of my knowledge and belief I was born on the 24th day of Dec., A. D. 1810, in the county of Mead, Ireland; that I was duly naturalized on the — day of —, 18 , in the court of Lycoming County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 1877, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the 23d day of April, 1878, to John Zimmerman, collector of taxes for said 1877, **who gave me a receipt therefor, which has since been lost or destroyed.*

THOMAS GEARY.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, J. P.

*N. B.—The words in *italics* can be erased when not applicable.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Neal McCallum, being duly sworn, say, that to the best of my knowledge and belief I was born on the 5th day of Ap'l, A. D. 1854, in the town Airdry, Scotland; that I was duly naturalized on the 14th day of Feb'y, 1876, in the court of Clinton County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the 16 day of August, 1877, to John Zimmerman, collector of taxes for said borough, * *who gave me a receipt therefor.*

NEAL MCCALLUM.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Minneham, being duly sworn, say: That to the best of my knowledge and belief I was born on the — day of —, A. D. 18—, in the Ireland; I claim the right to vote on my father's papers; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the 6th day of June, 1877, to John Zimmerman, collector of taxes for said borough, * *who gave me a receipt therefor.*

his
JOHN + MINNEHAM.
mark.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

*N. B.—The words in *italics* can be erased when not applicable.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Henry Glah, being duly sworn, say: That to the best of my knowledge and belief I was born on the 13th day of Ap'l, A. D. 1840, in Prussia, Germanie; claim the right to vote on my father's papers; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least 60 days and paid at least 30 days before the election; which tax was assessed on the — day of —, 18—, in the — of —, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said county, * *who gave me a receipt therefor.*

HENRY GLAH.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

No. 3.

Form of affidavit to be made by naturalized citizen not registered, but claiming the right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Geo. M. Kortebein, being duly sworn, say: That to the best of my knowledge and belief I was born on the 14th day of Feb'y, A. D. 1853, in the Holland; claim the right to vote on father's papers, of —, 18—, in the court of Phila.; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Williamsport, in the county of Lycoming, in the State of Pennsylvania, and was paid on the 20 day of M'ch, 1878, to Geo. Gitler, collector of taxes for said borough, * *who gave me a receipt therefor, which has since been lost or destroyed.*

G. M. KORTEBEIN.

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. K. CHESTNUT, J. P.

* N. B.—The words in *Italics* can be erased when not applicable.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under fourth section of the registry law approved 17th of April, 1869.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Stephen Hickey, being duly sworn, say : That I am a native-born citizen of the United States; that I am at this date between the ages of twenty-one and twenty-two years; that I have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months and upwards next preceding this election.

STEPHEN HICKEY.

Sworn and subscribed this 5th day of Nov., 1878, before me,
W. K. CHESTNUT, *J. P.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA.

County of Clinton, ss :

I, Geo. J. Hahn, being duly sworn, say : That to the best of my knowledge and belief I was born on the 7th day of June, A. D. 1849, in Berks County, Pa.; that I am and have been a citizen of the United States for one month and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election; which tax was assessed on the — day of —, 18—, in the borough of Renovo, in the county of Clinton, in the State of Pennsylvania, and was paid on the — day of —, 18—, to John Zimmerman, collector of taxes for said borough, **who gave me a receipt therefor.*

GEO. J. HAHN.

Sworn and subscribed this 5th day of Nov., 1878, before me.
W. K. CHESTNUT, *J. P.*

* N. B.—The words in *Italics* can be erased when not applicable.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, A. A. Burkee, being duly sworn, say : That to the best of my knowledge and belief I was born the 31st day of May, A. D. 1839, in Adams County, Pa. ; that I am & have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past ; that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before the election ; which tax was assessed on the — day of —, 1877, in the borough of St. Marys', in the county of Elk, in the State of Pennsylvania, and was paid on the — day of —, 1877, to Weiden Brener, collector of taxes for said borough, **who gave me a receipt therefor, which has since been lost or destroyed.*

ANTHONY BURKEE.

Sworn and subscribed this 5th day of Nov., 1878, before me.

JOHN SMITH, J. P.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Isaac Hurd, being duly sworn, say : That to the best of my knowledge and belief I was born on the — day of —, A. D. 18—, in — ; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania ; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past ; and that I have not removed into the district for the purpose of voting therein ; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election ; which tax was assessed on the — day of —, 18—, in the county of Tioga, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to Sam Rexford, collector of taxes for said county, **who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this 5th day of Nov., 1878 before me.

W. SUMMERSON.

* N. B.—The words in *Italics* can be erased when not applicable.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under tenth section of registry law approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Samuel Champane, being duly sworn, say : That I am a native born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, being twenty-one years of age this day.

Sworn and subscribed this 5th day of Nov., 1878, before me.
W. SUMMERSON.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

Copy oath of judge.

I, R. N. Martin, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same ; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote, or others, and that I will make a true and perfect return of said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities ; that I am not directly or indirectly interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. N. MARTIN,
*Judge of the Election District composed of the
Borough of Renovo.*

Sworn and subscribed this 5th day of Nov., 1878, before me.
JAMES F. QUINN,
Minority Inspector.

Copy of oath of inspectors.

We, Stanberry Heller and J. F. Quinn, do swear that we will duly attend the ensuing election during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly to be, according to the consti-

tution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

STANSBERRY HELLER,
JAS. F. QUINN,

*Inspectors of the Election District composed of the
Borough of Renovo.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

_____, *Judge.*

Copy of oath of clerks.

We, William E. Lafferty and C. Braden, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgements and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

CRAWFORD BRADEN,
WILLIAM E. LAFFERTY,

*Clerks of the Election District composed of the
Borough of Renovo.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

R. N. MARTIN, *Judge.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the house formerly occupied by Jacob Ulrich, in the borough of Renovo, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes, it appeared that for—

* * * * *

CONGRESS.

Andrew G. Curtin had two hundred ninety-one (291).

Seth H. Yocum had two hundred sixty-four (264).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

STANSBERRY HELLER, [SEAL.]
JAMES F. QUINN, [SEAL.]

Inspectors.

R. N. MARTIN, *Judge.* [SEAL.]

Attest:

CRAWFORD BRADEN,
WILLIAM E. LAFFERTY,
Clerks.

EXHIBIT 11.

Copy of poll list.

List of names of persons who voted at the election held at the Thompson House, North Point, in the election district of Chapman Township, Clinton County, Pa., on the 5th day of November, 1878.

- | | |
|--------------------------|-----------------------|
| 1 J. W. Crawford | 37 Wm. Persing |
| 2 A. J. Quigley | 38 Wm. Bradney. |
| 3 Elmer Meade | 39 Luke Johnson |
| 4 James Bailey | 40 H. H. Floyd |
| 5 J. H. Bailey | 41 David Pluff |
| 6 A. E. Grugan | 42 Nelson Melick |
| 7 R. J. Farwell | 43 Garry McElwee |
| 8 John McElhany | 44 Michael Quigley |
| 9 E. G. Koler | 45 A. L. Musselman |
| 10 John Quigley | 46 J. A. English |
| 11 J. C. Stout | 47 Lemuel Farwell |
| 12 Wm. Gundy | 48 A. C. Farwell |
| 13 G. W. Rimer | 49 Behring McCloskey |
| 14 Jacob E. Kline | 50 Frank Sykes |
| 15 A. Farwell | 51 C. W. Burnley |
| 16 Wm. McElwee | 52 Anthony Loudenburg |
| 17 Jerry Jones | 53 John Brady |
| 18 J. P. Hamersly | 54 Ed. Brady |
| 19 John Pluff | 55 John Hevner |
| 20 John C. Pluff | 56 John King |
| 21 Norris Mayers | 57 Felix McCloskey |
| 22 Jacob Pluff | 58 Lyman Flick |
| 23 Leonard Bradney | 59 H. P. Autes |
| 24 Dewitt Putman | 60 Sam'l Riggle |
| 25 C. Grugan | 61 John Q. Welsh |
| 26 Sam'l Champagne (age) | 62 R. L. Crays |
| 27 Dan. Riggle | 63 James Barry |
| 28 Isaac Hurd (tax) | 64 Rob't Bridgens |
| 29 James Mayers | 65 Thomas Bridgens |
| 30 Barber Mayers | 66 Orin Beach |
| 31 James H. Nolan | 67 J. W. Long |
| 32 F. T. Autes | 68 F. C. Briggs |
| 33 J. A. Williamson | 69 Horrace Hanna |
| 34 Joseph Bradney | 70 Harry Friedley |
| 35 Mich. Pluff | 71 J. J. Stone |
| 36 V. J. Howard | 72 David Toner |

73 Wilson McGill	115 Geo. P. McNaughton
74 Wm. Kimery	116 James Coffee
75 Lawrence English	117 Wm. Barner
76 Q. S. Mumah	118 W. Summerson
77 James Summerson	119 Isaiah Hevner
78 John Burney	120 Geo. Snyder
79 Mich. Hanna	121 Edward Smith (age)
80 Henry Pluff	122 R. S. Condon
81 R. B. Summerson	123 Wm. Grugan
82 Ira C. Autes	124 James McElwee
83 Nathan Farwell	125 John Sockman
84 John H. Whitman	126 Jacob Goodman
85 A. G. McCloskey	127 Jack O'Marrah
86 Joseph Klair	128 Hiram Haines
87 Mich. Bradney	129 Sam'l McElhany
88 Henry Cady (tax)	130 James A. McCloskey
89 Wm. Lunger	131 Edward Steward
90 Charles R. Miller (age)	132 N. C. McCloskey
91 Wm. Koller	133 J. A. Summerson
92 Philip Autes	134 John Steiner
93 Jack Baker	135 Martin Mayers
94 Wm. Baker	136 Charles Kitchen
95 Henry Barner	137 Wm. Burney, jr
96 James Daugherty	138 Wm. Burney, sr
97 Z. C. Fairbrother	139 H. H. Burney
98 G. W. Bradney	140 James Wandall
99 Wm. Keller (age)	141 Wm. Cleavland
100 Sylvester Sykes	142 C. C. Welsh
101 R. H. Miller	143 John H. Walton
102 R. W. Vincent	144 Abram Biedler
103 Fremont Kinley	145 Wm. Hibler
104 Mell Hill	146 Henry Donley
105 Rudolph Slifer	147 Henry Steiner
106 James Preble	148 H. H. English
107 Ben Heverly	149 G. Mitchell
108 Fred. Slifer	150 Geo Azure
109 Wm. Yocum	151 John Burket
110 H. C. Stoner	152 David Ritchards
111 Jacob Stiner	153 John Bridgens
112 Alex Macklin	154 T. J. Black
113 W. C. Moore	155 James Burney.
114 Durell Johnson (age)	

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return-sheet so far as said return relates to and shows the votes cast for member of Congress. Also, a true and correct copy of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of Chapman Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

EXHIBIT 12.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, William F. Bitner, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

WM. F. BITNER.

Sworn and subscribed this 5th day of November, 1878, before me.

A. M. DE HASS.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, Harry Fearon, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date between the ages of twenty-one and twenty-two years; that I have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote for two months and upwards next preceding this election.

H. H. FEARON.

Sworn and subscribed this 5th day of November, 1878, before me.

A. M. DE HAAS.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, James C. Mapes, being duly sworn, say I am a native-born citizen of the United States; that I am at this date between the ages of twenty-one and twenty-two years; that I have resided in the State of Pennsylvania for one year past, and in this election district, where I now claim the right to vote, for two months and upwards preceding this election.

J. C. MAPES.

Sworn and subscribed this 5th of November, 1878, before me.

A. M. DE HAAS, *Judge.*

Copy of oath of election officers.

I, _____, do _____ that I will, as judge, duly attend the ensuing election during the continuance thereof and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by the citizens qualified to vote or others; and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. SUMMERSON,

Judge of the Election District composed of the _____ of _____.

Sworn and subscribed this 5th day of November, 1878, before me.

R. H. MILLER,
Minority Inspector.

We, _____, do _____ that we will duly attend the ensuing election, during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid; but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. H. MILLER,
PHILIP AUTES,

*Inspectors of the Election District composed
of the Township of Chapman.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

W. SUMMERSON, *Judge.*

We, _____, do _____ that we will as clerks impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not dis-

close how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

_____,
_____,
*Clerks of the Election District composed of the
Township of Chapman.*

_____ and subscribed this 5th day of November, 1878, before me.
W. SUMMERSON, *Judge.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the public house of J. T. Black, in the township of Chapman, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *
Andrew G. Curtin had seventy-seven (77).
Seth H. Yocum Had seventy-six (76).
* * * * *

In testimony whereof we the inspectors and judge of the election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

R. H. MILLER, [SEAL.]
PHILIP AUTES, [SEAL.]
Inspectors.
W. SUMMERSON, [SEAL.]
Judge.

Attest:

T. J. BLACK,
_____,
Clerks.

Copy of poll list.

List of names of persons who voted at the election held at the Quay school-house, in the election district of Beech Creek Township, Clinton County, Pennsylvania, on the 5th day of November, 1878:

1 James David	16 William Welsh
2 John W. Bitner	17 Charles C. Quay
3 Robert Grater	18 Samuel Clark
4 John Yondas	19 Charles Winslow
5 Abner McCloskey	20 Benjamin Clark
6 Hiram Hoover	21 John Earon
7 George Ruple	22 Samuel Campbell
8 Barnard Rupert, sen.	23 George C. Haagan
9 John Herr	24 James Linn, sen.
10 Wilson Devling	25 James Masden, jr.
11 Preston David	26 Samuel Miller
12 Nelson Devling	27 William McGhee
13 Nathan R. Johnson	28 Joseph Quay
14 Edwin N. Kleine	29 Joseph Hubbard
15 Frances Jerome	30 A. M. Dehaas

- | | |
|------------------------|-------------------------|
| 31 James Roan | 88 William McCloskey |
| 32 Roland Lucas | 89 Uriah Kitchen |
| 33 Reese Hicks | 90 James E. Shearer |
| 34 Geo. W. Strawcutter | 91 Alexander Haagan |
| 35 John Reed | 92 John Wilson |
| 36 Carpenter Miller | 93 William Rhiner |
| 37 Theodore Rupert | 94 William R. Stone |
| 38 James R. Quay | 95 Carpenter Miller |
| 39 Wm. R. Miller | 96 Samuel Hall |
| 40 Joseph Masden | 97 George Shaffer |
| 41 Wm. J. Wilson | 98 Joel Bowman |
| 42 Joseph Whitefield | 99 David Miller |
| 43 William Waite | 100 Nathan Haagan |
| 44 Ira N. McCloskey | 101 Judson Shaffer |
| 45 John E. Gummow | 102 John Streck |
| 46 John Starn | 103 Robert Miller |
| 47 John Haagan | 104 Bernard Rupert, jr. |
| 48 Frederick Robb | 105 Adam Dickey |
| 49 James Harleman | 106 F. Mills Linn |
| 50 John E. Berry | 107 John T. Fearon |
| 51 Joseph Bitner | 108 Casper Peters |
| 52 Jacob Glossner | 109 Harry H. Fearon |
| 53 David Eyer | 110 Flavius J. David |
| 54 John Lear | 111 Wm. J. Metzger |
| 55 David A. Shearer | 112 James Dehaas |
| 56 Wm. J. Eyer | 113 S. W. Williams |
| 57 James Falls | 114 George F. Miller |
| 58 Martin V. Counsil | 115 Joseph Johnson |
| 59 Nathan J. Bitner | 116 John Johnson |
| 60 Joseph Miller | 117 Irvin Crispen |
| 61 Levi Rupert | 118 Thomas Linn |
| 62 Mathew L. Miller | 119 William Kitchen |
| 63 Saul Haagan | 120 Charles W. Jones |
| 64 John Gensel | 121 Fredric Muthler |
| 65 Wm. H. Fearon | 122 John B. Earon |
| 66 John A. Miller | 123 W. F. Dehaas |
| 67 Charles Heimer | 124 Thomas R. Skillman |
| 68 Philip Himer | 125 John E. Williams |
| 69 Christian Bitner | 126 H. K. Graham |
| 70 Lewis C. Miller | 127 James M. C. Quigley |
| 71 Joseph Muthler | 128 Albert Cottle |
| 72 J. D. Engle | 129 James A. Linn |
| 73 W. L. Miller | 130 Leslie Cottle |
| 74 John L. Mapes | 131 M. L. Packer |
| 75 James Masden, sen. | 132 George Williams |
| 76 William Haagan | 133 John B. Miller |
| 77 B. F. Rupert | 134 William Bridgens |
| 78 Frank Fearon | 135 David Mapes |
| 79 Wm. F. Bitner, age | 136 James Mapes, age |
| 80 E. H. Mapes | 137 Michael Stager |
| 81 Samuel Miller | 138 Frederick Glossner |
| 82 Henry E. Swartz | 139 George H. Bitner |
| 83 Charles Smith | 140 A. A. Hall |
| 84 William Whitefield | 141 Joseph L. Boaz |
| 85 Joseph Brady | 142 Solomon Knaar |
| 86 John Cook | 143 John Romig |
| 87 Chatham Linn | |

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress; also, a true and correct copy of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of Beech Creek Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

GEO. W. BATCHELER,
Prothonotary.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, George H. Swartz, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election-district where I now claim the right to vote two months next preceding this election.

GEORGE H. SWARTZ.

Sworn and subscribed this 5th day of November, 1878, before me.

MATHIAS HARBER, *Judge.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born-citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, Calvin Packard, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election-district where I now claim the right to vote two months next preceding this election.

CALVIN PACKARD.

Sworn and subscribed this 5th day of November, 1877, before me.

MATTHIAS HARBER, *Judge.*

N. B.—If the person claiming the right to vote on age was born else-

where than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native born-citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th day of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, George J. Patterson, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election-district where I now claim the right to vote two months next preceding this election.

GEORGE J. PATTERSON.

Sworn and subscribed this fifth day of November, 1878, before me.

MATHIAS HARBER, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss:

I, George W. Green, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election-district where I now claim the right to vote two months next preceding this election.

GEORGE W. GREEN.

Sworn and subscribed this 5th day of November, 1878, before me.

MATHIAS HARBER, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

I, A. M. De Haas, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitu-

tion and the laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law ; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities ; that I am not, directly or indirectly, interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. M. DE HAAS,

Judge of the Election District composed of the Township of Beech Creek.

Affirmed and subscribed this 5th day of Nov., 1878, before me.

JOHN E. GUMMO,

Minority Inspector.

We, John E. Gummo and Ira A. McCloskey, do affirm that we will duly attend the ensuing election during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duty therein to the best of our judgment and abilities ; that we are not, directly or indirectly, interested in any bet or wager on the result of this election ; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

IRA N. McCLOSKEY,

JOHN E. GUMMO,

Inspectors of the Election District composed of the Township of Beech Creek.

Affirmed and subscribed this 5th day of Nov., 1878, before me.

A. M. DE HAAS, *Judge.*

We, John E. Gummo and Ira N. McCloskey, do affirm that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duty respecting the same to the best of our judgment and ability ; that we are not, directly or indirectly, interested in any bet or wager on the result of this election ; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

M. L. PACKER,

NATHAN J. BITNER,

Clerks of the Election District composed of the Township of Beech Creek.

Affirmed and subscribed this 5th day of Nov., 1878, before me.

A. M. DE HAAS, *Judge.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the Quay school-house of , in the township of Beech Creek, of Clinton County, Pennsylvania, do certify that, upon closing the polls and counting the votes, it appeared that for

* * * * *

CONGRESS

Seth H. Yocum had sixty-one votes (61).
Andrew G. Curtin had eighty votes (80).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878. (Signed triplicate.)

JOHN E. GUMMO, [SEAL.]
IRA N. McCLOSKEY, [SEAL.]
Inspectors.
A. M. DE HAAS, [SEAL.]
Judge.

Attest:

M. L. PACKER,
NATHAN J. BITNER,
Clerks.

EXHIBIT 13.

Copy of poll-list.

List of names of persons who voted at the election held at the private house of John Springer in the election district of Gallauher Township, Clinton County, Pa., on the fifth day of November, 1878 :

- | | |
|------------------------------------|-----------------------------|
| 1 John Noland | 19 Levi Gottchall |
| 2 Jacob Beiser | 20 Samuel Swartz |
| 3 Jacob Gottchall | 21 Pherman Phillipps |
| 4 Charles Blesh | 22 William Stephenfinger |
| 5 Patrick Dowling | 23 George J. Patterson, age |
| 6 George Moore, sworn on residence | 24 Henry Stethenfinger |
| 7 Robert M. Moore | 25 Rudolph Zesinger |
| 8 Robert Moore, sr. | 26 James Nowland |
| 9 John Mowrer | 27 George W. Green, on age |
| 10 James Hanesy | 28 Thomas Gottchall |
| 11 John Relihan | 29 Marshal Conklin |
| 12 James Naugle | 30 Henry Gottshall |
| 13 Oliver Campbell | 31 Ben. Gottchall |
| 14 Robert Campbell | 32 James Jerles |
| 15 Washington Glover | 33 Nicholas Jacoby |
| 16 Richard Bodine | 34 Jacob Lovett |
| 17 Samuel D. Bodine | 35 Joseph Billbe |
| 18 Henry W. Campbell | 36 Alfred Bryan |
| | 37 David Fox |

38 William Bryan
 39 John Springer
 40 John Brobst
 41 Martin Raser
 42 Henry Zinck
 43 Frederick Berger
 44 Jacob Jacoby
 45 Wm. Fritz
 46 David Lovitt
 47 Daniel Cryder
 48 Taylor Cryder
 49 Anson Underwood

50 Herrie Packard
 51 Henry Fritz
 52 George Helmes
 53 Calvin Packard, on age
 54 Isaac Underwood
 55 Amos Stephen
 56 George Swartz, on age
 57 Marcus Green
 58 Wesley Phillips
 59 William Gottshall
 60 Mathias Harber
 61 Charles Elliott

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet so far as said return relates to and shows the votes cast for member of Congress, also a true and correct copy of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of Gallauher Township, in said county of Clinton, and State of Pennsylvania, on the first Tuesday of November, A. D. 1878 (being the 5th day of November, 1878), so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, George W. Thorp, being duly sworn, say that I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

GEORGE W. THORP.

Sworn and subscribed this 5th day of November, 1878, before me.

D. A. COCHRAN.

N. B. If the person claiming the right to vote was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

I, Mathias Harber, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than

such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

MATHIAS HARBER,

Judge of the Election District composed of the Township of Gallagher.

Sworn and subscribed this 5th day of November, 1878, before me.

WILLIAM FRITZ,

Minority Inspector.

We, David Lovett and Wm. Fritz, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

DAVID LOVETT,

WILLIAM FRITZ,

Inspectors of the Election District composed of the Township of Gallagher.

Sworn and subscribed this 5th day of November, 1878, before me.

MATHIAS HARBER, *Judge.*

We, Taylor Cryder and Wm. Gottshall, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward or district, wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

TAYLOR CRYDER,

WILLIAM GOTTSHALL,

Clerks of the Election District composed of the Township of Gallagher.

Sworn and subscribed this 5th day of November, 1878, before me.

MATHIAS HARBER, *Judge.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the private house of John Springer, in the township of Gallagher, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes, it appeared that for—

* * * * *

CONGRESS.

Andrew G. Curtin had forty-one (41) votes.

Seth H. Yocum had eighteen (18) votes.

* * * * *

In testimony whereof, we, the inspectors and judge of the election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

DAVID LOVETT, [SEAL.]

WILLIAM FRITZ, [SEAL.]

Inspectors.

MATHIAS HARBER, [SEAL.]

Judge.

Attest :

TAYLOR CRYDER,

WILLIAM GUTTCHALL,

Clerks.

EXHIBIT 14.

Copy of poll-list.

List of names of persons who voted at the election held at the Wayne Hotel, house, at Wayne Station, in the election district of Wayne Township, Clinton County, Pennsylvania, on the 5th day of November, 1878.

- | | |
|-------------------------|-----------------------|
| 1 H. W. Winchester | 20 Rob. H. Strong |
| 2 W. M. Quiggle | 21 Paul Greninger |
| 3 Thos. McNarey | 22 H. H. Henry |
| 4 B. F. Toner | 23 J. B. Antes |
| 5 B. F. Stabley | 24 C. S. Gallaher |
| 6 W. W. Simcox | 25 Jno. H. Henry |
| 7 J. Q. Dice | 26 Denis Eagan |
| 8 W. P. Clendenon | 27 James Q. Dice |
| 9 R. C. Quiggle | 28 Samuel Cable |
| 10 M. Throne | 29 Abe Simcox |
| 11 G. M. Hoagland | 30 Wm. Lucas |
| 12 Jno. Hoyt | 31 Thos. Henry |
| 13 Jno. H. Chatham, sr. | 32 R. H. Quiggle, sr. |
| 14 Ehud Chatham | 33 Wm. Chatham |
| 15 Jacob Quiggle | 34 J. W. Johnson |
| 16 Thos. Clendenon | 35 C. J. Quiggle |
| 17 Wm. McClure | 36 Robert Risdorph |
| 18 J. M. Taylor | 37 J. W. Quiggle |
| 19 Rob. Askins | 38 Jas. Davis |

- | | |
|-----------------------|------------------------|
| 39 W. S. McClure | 95 S. H. Thorp |
| 40 Jno. Cable | 96 Calvin Haviland |
| 41 Henry Stabley, sr. | 97 Joseph McKague |
| 42 Jacob Stamm | 98 Jesse Shaffer |
| 43 Christian Bixler | 99 M. H. Shurr |
| 44 Joseph Simcox | 100 H. I. Kessler |
| 45 A. S. Stabley | 101 M. F. Mitcheltree |
| 46 Jno. F. Clark | 102 Jno. Herr |
| 47 Jacob Stabley, sr. | 103 Nathan Simcox |
| 48 S. N. Quiggle | 104 Jacob Fillman |
| 49 Cornelius Cromley | 105 D. A. Cochran |
| 50 Jas. Pipies | 106 J. C. Quiggle |
| 51 John Flicker | 107 Jno. H. Chatham |
| 52 Adam Dice | 108 G. W. Mitcheltree |
| 53 Jacob Dice | 109 J. R. Frederick |
| 54 Jno. J. Snyder | 110 Jacob Q. Simcox |
| 55 G. W. Wilson | 111 Patrick Craven |
| 56 Jno. Strayer | 112 G. S. Smith |
| 57 Jas. A. Simcox | 113 Henry Stabley, jr. |
| 58 G. W. Twitmyer | 114 S. M. Curns |
| 59 Rewben Miller | 115 Wm. O'Connell |
| 60 Thos. Gutchall | 116 M. S. Quiggle |
| 61 Geo. Anner | 117 Jno. Welsh |
| 62 Cornelius McKague | 118 James Emert |
| 63 Jas. L. O'Donell | 119 Jacob Devictor |
| 64 Thos. Quiggle | 120 Jno. Strong |
| 65 R. H. Quiggle, jr. | 121 H. J. Snyder |
| 66 Geo. Ashton | 122 E. A. Simcox |
| 67 Jno. Wilson | 123 J. G. Davis |
| 68 Wm. W. Smith | 124 E. A. Bendell |
| 69 Geo. Ritter | 125 F. P. Smeth |
| 70 Reuben Longenecker | 126 R. W. Montgomery |
| 71 J. F. Smith | 127 Aaron Strayer |
| 72 Philip Smith | 128 William Smith |
| 73 Aaron Askins | 129 Tillman Smith |
| 74 A. K. Montgomery | 130 Jacob Cromley |
| 75 Michael Smith | 131 Wm. Edger |
| 76 Edward Winchester | 132 J. J. Fillman |
| 77 Frank Maroney | 133 W. O'Donell |
| 78 G. W. Sour | 134 J. S. Shours |
| 79 Jno. Simcox | 135 Frank Edgar |
| 80 Ellis Snyder | 136 F. M. Clark |
| 81 Samuel Snyder | 137 C. F. Staver |
| 82 Isaac Strong | 138 I. K. Shortlege |
| 83 Robert Thorp | 139 W. H. Johnson |
| 84 Jno. H. Herold | 140 Dan. Trout |
| 85 Geo. W. Thorp | 141 D. L. Miller |
| 86 Geo. Wilson | 142 T. G. Simcox |
| 87 Wilson Chatham | 143 Eli Heninger |
| 88 T. J. Toner | 144 Joseph Chaplain |
| 89 V. D. Farlinger | 145 Dan. Stabley |
| 90 Miles Snyder | 146 Rob. Johnson |
| 91 R. T. Quiggle | 147 J. H. Chatham, jr. |
| 92 Daniel Quiggle | 148 Jas. Montgomery |
| 93 Wm. Simcox | 149 Jno. A. Strayer |
| 94 Daniel Ricker | 150 Sam. Wilson |

151 G. C. Simcox, jr.
 152 G. C. Simcox, sr.
 153 S. M. Smeth
 154 J. R. Throne
 155 J. W. Miller
 156 J. C. Stabley
 157 J. S. Sees

(Signed)
 (Signed)

158 Peter Miller
 159 Lewis Miller
 160 Jno. Young
 161 Thos. McKaugue
 162 J. C. McKague
 163 J. R. Hoagland

J. C. QUIGGLE, *Clerk.*
 H. T. KESSLER, *Clerk.*

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and copy of and abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress ; also a true and correct copy of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of Wayne Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the fifth day) of November, A. D. 1878, so full and complete as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

I, David A. Cochran, do affirm that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same ; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities ; that I am not directly or indirectly interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

D. A. COCHRAN,

Judge of the Election District composed of the Township of Wayne.

Affirmed and subscribed this 5th day of Nov., 1878, before me.

SAM. WILSON,
Minority Inspector.

We, John H. Chatham & Samuel Wilson, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to

vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will, in all things, truly, impartially, and faithfully perform our duty therein to the best of our judgment and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN H. CHATHAM,
SAM. WILSON,

Inspectors of the Election District composed of the Township of Wayne.

Sworn and subscribed this 5th day of Nov., 1878, before me.

D. A. COCHRAN,
Judge.

We, Hiram Kessler & James C. Quiggle, do affirm that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duty respecting the same to the best of our judgment and ability; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

HIRAM T. KESSLER,
JAMES C. QUIGGLE,

Clerks of the Election District composed of the Township of Wayne.

Affirmed and subscribed this 5th day of Nov., 1878, before me.

D. A. COCHRAN,
Judge.

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the Wayne Hotel, at Wayne Station, in the township of Wayne, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS.

Andrew G. Curtin had ninety-two (92) votes.

Seth H. Yocum had sixty-eight (68) votes.

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5 day of November, A. D. 1878.

(Signed triplicates.)

JOHN H. CHATHAM,	[SEAL.]
SAM. WILSON,	[SEAL.]
	<i>Inspectors.</i>
D. A. COCHRAN,	[SEAL.]
	<i>Judge.</i>

Attest:

JAS. C. QUIGGLE,
H. I. KESSLER,
Clerks.

EXHIBIT 15.

Copy of poll-list.

List of names of persons who voted at the election held at the National Hotel, 4th ward, in the election district of fourth ward, city of Lock Haven, Clinton County, Pa., on the 5th day of November, 1878.

- | | |
|-----------------------|-----------------------|
| 1 H. O. Chapman | 36 Thos. C. McInerney |
| 2 O. S. Houtz | 37 Samuel Hackman |
| 3 O. T. Noble | 38 David Bogenrief |
| 4 Jas. Lawley | 39 Henry Smith |
| 5 Wm. Potter | 40 O. H. Emery |
| 6 Wm. P. Beek | 41 G. T. Michaels |
| 7 Jos. Paul | 42 B. J. Crowley |
| 8 James Getty (age) | 43 John Getty |
| 9 S. G. Mingle | 44 Thomas Hickey |
| 10 Jesse H. Rippey | 45 E. S. Pollock |
| 11 John Harvey (age) | 46 Thomas Holahan |
| 12 B. F. Lindig | 47 C. F. Bickford |
| 13 W. H. Roland | 48 John Agar |
| 14 John J. Fox | 49 Adam Worley |
| 15 John Heimer | 50 Robert Saltsman |
| 16 L. T. Carpenter | 51 John Kean |
| 17 Thos. O'Brien, jr. | 52 Henry Burnell |
| 18 Jos. Walters | 53 James Scanlon |
| 19 E. L. Moore | 54 P. Prendible |
| 20 Jno. R. Moore | 55 Roger Hays |
| 21 Jas. Colberth | 56 Flavel Judon |
| 22 John Welsh | 57 Patrick Luddon |
| 23 James Conwell | 58 D. L. Bisel |
| 24 Samuel Fulton | 59 Samuel Venatta |
| 25 Conrad Prock | 60 John C. Brown |
| 26 J. B. Deise | 61 Wm. Jobson |
| 27 J. G. Brown | 62 A. M. Cummins |
| 28 Peter Judon | 63 Peter Jobson |
| 29 R. K. Smith | 64 David Salmon |
| 30 Asa Wilson | 65 James E. Smithers |
| 31 J. B. Eckert | 66 John Welsner |
| 32 Henry Shaffer | 67 Francis O. Reed |
| 33 Frank Griffen | 68 John Edmunds |
| 34 D. L. Chandler | 69 James Muroe |
| 35 R. W. Shell | 70 John Shay |

- | | |
|-------------------------|--------------------------|
| 71 Geo. A. Emery | 127 C. H. Burliew |
| 72 Frederick Fickensher | 128 Frank Staub |
| 73 A. B. Mayer | 129 James Kitchen |
| 74 Stephen Shipps | 130 F. K. Smith |
| 75 Patrick Griffen | 131 Fred. Beck |
| 76 Wm. Kief, jr. | 132 Harvey Bennett |
| 77 John Kief | 133 Farris Staub |
| 78 David Baylor | 134 Michael McInerney |
| 79 G. L. Morlock | 135 John Toner |
| 80 James T. Brown (age) | 136 Robt. Bennett |
| 81 Jacob Brown | 137 Wm. Mosher |
| 82 H. R. Jacobs | 138 Peter Venatta, sr. |
| 83 T. P. Myers | 139 Thos. O'Brien, sr. |
| 84 Rob't Culby | 140 F. N. McGhee |
| 85 Rob't Agar | 141 John Williams |
| 86 Michael Horn | 142 Morris Kane |
| 87 John E. Furst | 143 Patrick Griffin, jr. |
| 88 John Tiford | 144 M. Flag |
| 89 John Barnhart | 145 S. D. Kiester |
| 90 S. W. Askey | 146 C. D. Myers |
| 91 J. F. Throne | 147 Thomas Kane |
| 92 M. C. Jobson | 148 Frank McMahon |
| 93 Jacob Henry, jr. | 149 John Consadine |
| 94 Jacob Heimer | 150 J. R. Pheniger |
| 95 Henry Dunkel | 151 J. O. Kinley |
| 96 David Shipps | 152 Harvey Edwards |
| 97 Abram Schoff | 153 Jacob Rote |
| 98 Henry Schoff | 154 Wm. Kief, sr. |
| 99 Wilson Schoff | 155 Isaac Markel |
| 100 Wm. Schadt | 156 Lewis K. Brown |
| 101 James Noble | 157 John Pepperman |
| 102 Frank Rippie | 158 Geo. W. Walker |
| 103 James McNery | 159 A. G. Brown |
| 104 M. H. McNery | 160 John Clark |
| 105 Jacob Weidman | 161 A. M. Montgomery |
| 106 Fred. Smeltzer | 162 Robt. Barton |
| 107 Erven Hayne (age) | 163 J. H. Heltman |
| 108 B. F. Brown | 164 Wm. Sykes |
| 109 William Bowers | 165 John Raymond |
| 110 J. C. Emery | 166 Simon Carrol |
| 111 E. Saterlee | 167 Wm. Ely |
| 112 A. B. Harnish | 168 John F. Lindig |
| 113 George Kline | 169 John Brutzman |
| 114 James Shay | 170 John Vanatta |
| 115 Jacob Beck | 171 Wm. Guilford |
| 116 O. A. Harvey | 172 I. A. Shaffer |
| 117 Owen Curns | 173 Jacob Henry, sr. |
| 118 Wm. G. Newberry | 174 John Fredwood |
| 119 J. H. Williams | 175 Jacob Thomas |
| 120 Alfred Smith | 176 Daniel Ryan |
| 121 John Carroll | 177 Chas. Long |
| 122 E. J. Baird | 178 Samuel Marsh |
| 123 Jacob Johnson (age) | 179 Daniel Ryan, jr. |
| 124 Patrick O'Neal | 180 James Montgomery |
| 125 John Zeigler | 181 H. M. Harnish |
| 126 Samuel Shoemaker | 182 James McBride |

183 John Moore	226 W. B. Porter
184 Bon. Willie	227 J. W. Steine
185 H. Byxbe	228 Adam Geiger
186 Frank Bentley	229 Moses Birch
187 I. D. McClintic	230 Gotlieb Smith
188 Lot Vanatta	231 Elias Houtz
189 Jacob Workman	232 Fred. Shank
190 Wesley Maggs	233 Miles Shearer
191 Wm. Pfingstter	234 Wm. Bentley
192 Robt. Bittner	235 Samuel Snyder
193 John B. Crider	236 G. W. Willow
194 Harvey Brownlee	237 Daniel Kelly
195 Jeremiah Beck	238 John Rarahan
196 James Sullivan	239 Samuel Ackhuff
197 Samuel Parsons	240 J. J. Harmon
198 William N. Blint	241 Jos. Prettett, sr.
199 Wiliam De Witt	242 Michael Carey
200 John S. Bitner	243 S. T. Stevenson
201 Benj. Swope	244 W. B. Willow
202 David Shearer	245 Michael Blake
203 John B. Swope	246 Jared Clapp
204 Ira Bartholomew	247 Samuel Clapp
205 James M. Thomas	248 Geo. W. Marshall
206 Michael Linch	249 Howard Eakins
207 John Swerze	250 Charles Bower
208 John Schooley	251 Alex. Brutzman
209 E. H. Welch	252 Frances Hesslin
210 D. M. Berliew	253 George Marshall
211 James Laughlen	254 Thos. Davis
212 Thomas Donachy	255 George Robinson
213 John Quinlin	256 Michael Cusick
214 Geo. Howard	257 J. M. Scheid
215 Smith Marshall	258 Charles Staub
216 H. S. Whiteman	259 J. K. Eakens
217 James Wagner	260 John McCloskey
218 Henry Schrock	261 Charles Gardner
219 R. J. Armstrong	262 John McLaughlin
220 Franklin Hane	263 J. D. Roachabrode
221 Harry Emery	264 Michael Welch
222 John Boardman	265 J. W. Sterling
223 J. R. Singley	266 John F. H. Miller
224 Patrick Marshall	267 John O'Day
225 Walter Agar	

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of an abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress; also a true and correct copy of the poll-list or list of voters, and the affidavits of voters and the oaths of election officers for the election held in the election district of the fourth ward of the city of Lock Haven, in the said county of Clinton, and State of Pennsylvania, on the first Tuesday, being the 5th day of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,

Prothonotary.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, William Guilford, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

WILLIAM GUILFORD.

Sworn and subscribed this 5th of November, 1878, before me.

O. S. HOUTZ,

Notary Public.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

STATE OF PENNSYLVANIA,

County of Clinton, ss:

I, Ellen Guilford, being duly sworn according to law, say that I am the mother of William Guilford; that he is a native-born citizen; that he is at this date between 21 & 22 years of age; that the said my son William was born on the 6th of April, A. D. 1858, and that he has been a resident of the United States from his birth, and has resided in the fourth ward of Lock Haven for two years last past.

her
ELLEN + GUILFORD.
mark.

Witness:

O. S. HOUTZ.

Sworn & subscribed before me the 5th day of November, A. D. 1878.

A. S. HOUTZ,

Notary Public.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss:

I, H. O. Chapman, being duly sworn, say that I am a qualified voter of the election district composed of the fourth ward of Lock Haven, in said county, and that I know Wm. Guilford, who now claims the right to

vote therein, and have known him for two years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Ellen Guilford, cor. Clinton & Commerce sts., in Lock Haven.

H. O. CHAPMAN.

Sworn and subscribed this 5th of November, 1878, before me.

O. S. HOUTZ,
Notary Public.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Irvin A. Hahne, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months preceding this election.

IRVIN A. HAHNE.

Sworn and subscribed this 5th day of November, 1878, before me.

O. S. HOUTZ, *N. P.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, O. S. Houtz, being duly sworn, say that I am a qualified voter of the election district composed of the 4th ward, Lock Haven, in said county, and that I know Irvin A. Hahne, who now claims the right to vote therein, and have known him for five years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Franklin Hahne, cor. Bald Eagle and West Park st.

O. S. HOUTZ.

Sworn and subscribed this 5th day of November, 1878, before me.

ROBT. AGAR, *Judge.*

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, John Harvey, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-

one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

JOHN HARVEY.

Sworn and subscribed this 5th day of November, 1878, before me.

ROBT. AGAR, *Judge*.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, T. M. McGhee, being duly sworn, say that, to the best of my knowledge and belief, I was born on the 10th day of June, A. D. 1849, in Centre County; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the ———, in the county of Clinton, and in the State of Pennsylvania, and was paid on the ——— day of ———, 18—, to Peter Beck, collector of taxes for said ward, **who gave me a receipt therefor, which has been lost or destroyed.*

has since been lost or destroyed.

THOS. N. MAGEE.

Sworn and subscribed this 5th day of Nov., 187—, before me.

ORRIN T. NOBLE, *Ald.*

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under tenth section of registry law, approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, Jacob Johnson, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

his
JACOB + JOHNSON.
mark.

Witness: S. M. McCORMICK.

N. B.—The words in *italics* can be erased when not applicable.

Sworn and subscribed this 5th of November, 1878, before me.

S. M. McCORMICK,
Notary Public.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, George Robinson, being duly sworn, say that I am a qualified voter of the election district composed of the 4th ward of the city of Lock Haven, Pa., in said county, and that I know Jacob Johnson, who now claims the right to vote therein, and have known him for four years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Joseph Pretet, sen.

GEORGE ROBINSON.

Sworn and subscribed this 5th of November, 1878, before me.

S. M. McCORMICK,
Notary Public.

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, C. H. Burlew, being duly sworn, say, that to the best of my knowledge and belief I was born on the 26th day of May, A. D. 1845, in Lewistown, Pa.; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last mentioned State for one year last past, and in this election district for two months last past; **that I was formerly a citizen of Pennsylvania and removed therefrom, and have now resided therein six months next preceding this election*; and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid one month before this election; which tax was assessed on the — day of —, 18 —, in the — of —, in the county of Clinton, and in the State of Pennsylvania, and was paid on the — day of —, 18—, to —, collector of taxes for said —, **who gave me a receipt therefor, which has since been lost or destroyed.*

C. H. BURLEW.

Sworn and subscribed this fifth day of November, 1878, before me.

ROBT. AGAR, Judge.

*N. B.—The words in *italics* can be erased when not applicable.

Copy of oaths of election officers.

I, Robert Agar, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse, in carrying out the same, by the citizens qualified to vote or others; and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; and that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ROBT. AGAR,
*Judge of the Election District composed of the
Fourth Ward of Lock Haven, Pa.*

Sworn and subscribed this 5th day of November, 1878, before me.

G. T. MICHAELS,
Minority Inspector.

We, G. T. Michaels and B. J. Crowley, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid; but that we will in all things truly impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

G. T. MICHAELS,
B. J. CROWLEY,
*Inspectors of the Election District composed of the
Fourth Ward of Lock Haven, Pa.*

Sworn and subscribed this 5th day of November, 1878, before me.

ROBT. AGAR, *Judge.*

We, Thomas Holahan and D. L. Bisel, do swear that we will as clerks impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same, to the best

of our judgements and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

THOMAS HOLAHAN,
D. L. BISEL,
*Clerks of the Election District composed of the
4th ward of Lock Haven, Pa.*

Sworn and subscribed this 5th day of November, 1878, before me.
ROBT. AGAR, *Judge.*

Copy of triplicate election return sheet.

We, the undersigned, elected and sworn according to law inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the National Hotel of 4th ward, in the city of Lock Haven, of Clinton County, Pennsylvania, do certify that, upon closing the polls and counting the votes, it appeared that for—

* * * * *
Seth H. Yocum had one hundred & twenty-five (125) votes; Andrew G. Curtin had one hundred & thirty-nine (139) votes.
* * * * *

In testimony whereof we, the inspectors and judge of election afore-said, have hereunto set our hands and seals the — day of —, A. D. 187—.

(Signed triplicates.)

B. J. CROWLEY, [SEAL.]
G. T. MICHAELS, [SEAL.]
Inspectors.
ROBERT AGAR, [SEAL.]
Judge.

Attest:

THOMAS HOLAHAN,
D. L. BISEL,
Clerks.

EXHIBIT 16.

Copy of poll-list.

List of names of persons who voted at the election held at the public house of J. W. Robbins, in the election district of Noyes Township, Clinton County, Pa., on the 5th day of November, A. D. 1878.

- | | |
|--------------------|---------------------|
| 1 Ames Swartwood | 13 John Huff |
| 2 John R. Rooney | 14 David S. Bitnor |
| 3 J. R. Vandaniker | 15 A. R. McDonald |
| 4 St. A. C. Noyes | 16 Tomson Werts |
| 5 C. R. Noyes | 17 John S. Werts |
| 6 Abnor McCloskey | 18 John Kepler, sr. |
| 7 Jno. W. Robbins | 19 John Walton |
| 8 Henry Borrman | 20 Jesse Kline |
| 9 John Campbell | 21 Ellis Kepler |
| 10 H. Eisenhower | 22 Miles Kepler |
| 11 C. P. Hunt | 23 Dock Swartwood |
| 12 A. B. Coldwell | 24 Chs. Ulrich |

25 Abraham Kepler
 26 W. C. Kepler
 27 Joseph Sunderlin
 28 John B. Saltsman
 29 John Smith
 30 James E. Robbins
 31 Luke Conner
 32 Isaiah Swartwood
 33 W. T. McCloskey
 34 Thomas Walton
 35 William Kepler
 36 John M. Stewart
 37 Jacob Smith
 38 Peter Mulqueen
 39 James McSherry
 40 James F. Stewart
 41 James Smith
 42 Washington Armstrong
 43 Harvey Hunt
 44 Jacob B. Kepler
 45 Isaac Kepler
 46 A. P. Stewart
 47 John Denison
 48 Andrew Denison
 49 D. U. Shaffer
 50 G. W. Drake
 51 Anthony Drake
 52 Wm. H. Taylor (on age).
 53 John E. Kepler
 54 R. D. Stuart
 55 R. H. Smith
 56 Robert Armstrong
 57 Saul Smith
 58 Tomas Armstrong
 59 Albert Smith (on age).
 60 John McMatchon

61 A. W. Smith
 62 Elmer Smith
 63 George Horthorn
 64 D. B. Werts
 65 Samuel Witchey
 66 W. C. Werts
 67 Samuel Kelley
 68 Henry E. Kepler
 69 Wm. Stout
 70 D. R. Pfouts
 71 E. F. Hall
 72 Isaac Myers
 73 Patrick Blake
 74 Sam. Huling
 75 Daniel Dailey
 76 Patrick Hines
 77 John Stringfellow
 78 Ellis Huling
 79 Daniel Smith
 80 Samuel Kneply
 81 Samuel Werts
 82 Frank Walton
 83 M. M. McCloskey
 84 Wm. T. McCloskey
 85 R. Riddles
 86 Colister Burge
 87 Wm. Willets
 88 James Grace
 89 John S. Bailey
 90 John Burge
 91 Cornelius Harmon
 92 John Werts
 93 Joseph Fleckenstine
 94 Edward Kepler
 95 Wm. J. Coldwell

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under tenth section of registry law approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,
County of Clinton, ss :

I, Albert W. Smith, being duly sworn, say : That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

ALBERT SMITH.

Sworn and subscribed this 5th day of Nov., 1878, before me.

A. McCLOSKEY,
J. Peace.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact

in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under tenth section of registry law approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, James Robbins, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

JAMES ROBBINS.

Sworn and subscribed this fifth day of Nov., 1878, before me.

A. McCLOSKEY *J. P.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under tenth section of registry law approved the 30th of January, 1874.

COMMONWEALTH OF PENNSYLVANIA,

County of Clinton, ss :

I, William H. Taylor, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

WILL. H. TAYLOR.

Sworn and subscribed this 5th day of Nov., 1878, before me.

A. McCLOSKEY, *J. P.*

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

(Copy).

NOYES TOWNSHIP, *Nov. 5th, 1878.*

J. R. Van Daniker, majority inspector of this election district, having been necessarily called away, I hereby appoint James F. Stewart to act as majority inspector in his place.

A. McCLOSKEY, *Judge.*

I certify that the above named James F. Stewart was duly sworn by me.

A. McCLOSKEY,
Judge.

(Copy).

NOYES TOWNSHIP, *Nov. 5th, 1878.*

The judge of election, elected for this election district, not being present, I hereby appoint Abner McCloskey to act as judge of election.

J. R. VAN DANIKER.

Copy of oaths of election officers.

I, A. McCloskey, do swear that I will as judge duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by the citizens qualified to vote or others; and that I will make a true and perfect return of said election, and will in all things truly impartially and faithfully perform my duty respecting the same to the best of my judgement and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

A. McCLOSKEY,

Judge of the Election District composed of the Township of Noyes.

Sworn and subscribed this fifth day of No., 1878, before me.

W. C. WERTS,
Minority Inspector.

We, J. R. Van Daniker and W. C. Werts, do swear that we will attend the ensuing election during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially and faithfully perform our duties therein, to the best of our judgements and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

J. R. VAN DANIKER,
W. C. WERTS,

Inspectors of the Election District composed of the Township of Noyes.

Sworn and subscribed this fifth day of Nov., 1878, before me.

A. McCLOSKEY, *J. P.*

We, Jas. E. Robbins & W. C. Kepler, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof; and in all things truly and faithfully perform our duties respecting the same, to the best of our judgements and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

JAMES ROBBINS,
W. C. KEPLER,

Clerks of the Election District composed of the Township of Noyes.

Sworn and subscribed this fifth day of Nov., 1878, before me.

J. McCLOSKEY, *Judge.*

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress, also a true and correct copy of the poll-list or list of voters, and the affidavits of voters, and the oaths of election officers, and the substitution of election officers, for the election held in the election district of Noyes Township, in the said county of Clinton, and State of Pennsylvania, on the first Tuesday, being the 5th day of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

Copy of triplicate election-return.

We, the undersigned, elected and sworn according to law inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the public-house of J. W. Robbins, in the township of Noyes, of Clinton County, Pennsylvania, do certify that, upon closing the polls and counting the votes it appeared that for

* * * * *

CONGRESS

Andrew G. Curtin had seventy-seven (77) votes; Seth H. Yocum, had eighteen (18) votes.

* * * * *

In testimony whereof we, the inspectors and judge of election afore-said, have hereunto set our hands and seals the 5th day of Nov., A. D. 1878.

(Signed triplicates)

JAMES F. STEWART, [SEAL.]
W. C. WERTS, *Inspectors.* [SEAL.]
A. McCLOSKEY, *Judge.* [SEAL.]

Attest :

JAMES E. ROBBINS,
W. C. KEPLER, *Clerks.*

Copy of poll-list.

List of names of persons who voted at the election held at the private house of James Grugan (deceased), in the election district of Grugan, Clinton County, Pa., on the 5th day of November, 1878.

- | | |
|---------------------|---------------------|
| 1 Joseph A. Lacey | 30 W. C. Weaver |
| 2 Robert E. Farwell | 31 E. W. Hevner |
| 3 John C. McGhee | 32 Jerry Caton |
| 4 Jacob Grugan | 33 Jno. Gougan |
| 5 Thew Grugan | 34 Alex. Wadsworth |
| 6 James Kelly | 35 Patrick Clark |
| 7 E. P. Shady | 36 Wm. Grant |
| 8 Geo. Reichard | 37 Michael Obrien |
| 9 J. K. P. Grugan | 38 E. Hood Ritchie |
| 10 A. W. Kepler | 39 Andrew Sanford |
| 11 Wm. Johnson | 40 Thomas Lacey |
| 12 J. M. David | 41 E. J. Warner |
| 13 Wm. Gardner | 42 Frank Johnson |
| 14 Albert Huff | 43 J. M. Grugan |
| 15 Charles Morse | 44 J. W. Johnson |
| 16 Wm. Wilson | 45 Barney Madden |
| 17 S. H. McGhee | 46 Standish Fox |
| 18 Joseph Beidler | 47 Morris Barton |
| 19 John Riggles | 48 Henry Rhoads |
| 20 Alexander Agar | 49 Wm. P. Gibson |
| 21 George Kelly | 50 James Johnson |
| 22 Charles McGhee | 51 Jacob Hevner |
| 23 L. M. Farwell | 52 Henry F. Landa |
| 24 George Eilert | 53 James Hevner |
| 25 David Ritchie | 54 Michael Nestor |
| 26 George Edwins | 55 Patrick Lanner |
| 27 Henry Hevner | 56 John Mulcahy |
| 28 Cotner Weaver | 57 Edwin Grugan |
| 29 Harry Beidler | 58 Lawrence Ritchie |

STATE OF PENNSYLVANIA,

County of Clinton, ss:

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet so far as said return relates to and shows the votes cast for members of Congress; also a true and correct copy of the poll-list or list of voters and the oaths of election officers for the election held in the election district, Grugan Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER

Prothonotary.

Copy of oaths of election officers.

I, Thew. Grugan, do swear that I will, as judge, duly attend the ensuing election, during the continuance thereof, and faithfully assist the

inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same by the citizens qualified to vote or others; and that I will make a true and perfect return of said election, and will in all things truly, impartially and faithfully perform my duties respecting the same to the best of my judgement and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election; and I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

THEW. GRUGAN,
*Judge of the Election District composed of the
Township of Grugan.*

Sworn and subscribed this 5th day of Nov., 1878, before me,
ALBERT HUFF,
Minority Inspector.

We, A. W. Kepler & Albert Huff, do swear that we will duly attend the ensuing election, during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and of the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is required by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid; but that we will in all things truly, impartially and faithfully perform our duties therein to the best of our judgements and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

ALBERT HUFF,
A. W. KEPLER,
*Inspectors of the Election District composed of the
Township of Grugan.*

Sworn and subscribed this 5th day of Nov., 1878, before me,
THEW. GRUGAN,
Judge.

We, Edward Warner & S. H. McGhee, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given us in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes which shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof; and in all things truly and faithfully perform our duties respecting the same to the best of our judgements and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election;

and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

EDWARD HORNER,
S. H. MCGHEE,
*Clerks of the Election District composed of the
Township of Grugan.*

Sworn and subscribed this 5th day of Nov., 1878, before me,
THEW. GRUGAN, *Judge.*

Copy of triplicate election-return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the private house of James Grugan, dec., in the Grugan Township of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that the several offices

* * * * *

FOR CONGRESS

Andrew G. Curtin had forty-five (45); Seth H. Yocum had nine (9).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

ALBERT HUFF, [SEAL.]
A. W. KIPLER, [SEAL.]
Inspectors.
THEW. GRUGAN, [SEAL.]
Judge.

Attest:

E. J. WARNER,
S. H. MCGHEE,
Clerks.

EXHIBIT 18.

Copy of poll-list.

List of names of persons who voted at the election held at the school-house at Castanea, in the election district of Castanea Township, Clinton County, Pennsylvania, on the 5th day of November, 1878:

- | | |
|------------------|-----------------------|
| 1 Charles Fable | 12 Christian Housner |
| 2 Joseph Harvey | 13 Moses Haugh |
| 3 Georgé Tison | 14 Frederick Woorster |
| 4 Richard Harvey | 15 George Shaffer |
| 5 F. M. Hana | 16 Jacob Knights |
| 6 Nathan Harvey | 17 M. W. Furgason |
| 7 Henry Harvey | 18 G. W. Herner |
| 8 C. M. Straub | 19 John Myers |
| 9 James Myers | 20 Peter Fable |
| 10 R. F. Curns | 21 J. S. Shaffer |
| 11 John Ingram | 22 W. A. Cox |

23 Wm. L. Thomas	44 James Bradley (age)
24 J. N. Marrow	45 Jacob Quigley
25 John Bradley	46 Albert Winters
26 E. A. McGill	47 Fredrick Shied
27 John Heineman	48 David Holland
28 John Marshall	49 Jacob Blush
29 George Woorster	50 John Reese
30 Daniel Winters	51 Joseph Seyler
31 O. B. Smith	52 G. C. Curns
32 Joseph Poorman	53 James Crotzer
33 Valentine Hana, sr.	54 Wm. Shade, jr. (age)
34 Charles Humberger	55 Hartman Henry
35 Peter Marks	56 John Basinger
36 Wm. Crotzer	57 Somerville Straub
37 Lewis Winner, sr.	58 James Nessleroad
38 John Bierly	59 John Bonsell
39 John Tison	60 William Straub
40 Wm. Myers (age)	61 Franklin Reese (age)
41 John Antis	62 Benjamin Kast
42 James Ames	63 George Ingram
43 Frank Swerley	

STATE OF PENNSYLVANIA,

County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet so far as the said return relates to and shows the votes cast for member of Congress; also a true and correct copy of the poll-list or list of voters and the oaths of election officers for the election held in the election district of Castanea Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

I, Henry Harvey, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

HENRY HARVEY,
*Judge of the Election District composed of the
Township of Castanea, Clinton Co., Pa.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

C. M. STRAUB,
Minority Inspector.

We, M. C. Straub and Richard Harvey, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially and faithfully perform our duty therein to the best of our judgment and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. HARVEY,
C. M. STRAUB,
*Inspectors of the Election District composed of the
Township of Castanea, Clinton Co., Pa.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

HENRY HARVEY,
Judge.

We, O. B. Smith and G. C. Curns, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duty respecting the same, to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

O. B. SMITH,
G. C. CURNS,
*Clerks of the Election District composed of the
Township of Castanea, Clinton Co., Pa.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

HENRY HARVEY,
Judge.

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the 5th day (being the 1st Tuesday) of November, A. D. 1878, at the school house of Castania, in the township of Castania, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS.

Seth H. Yocum had twenty-nine votes (29).
 Andrew G. Curtin had thirty-three votes (33).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

RICHARD HARVEY, [SEAL.]
 _____ [SEAL.]

Inspectors.

HENRY HARVEY, [SEAL.]
Judge.

Attest:

O. B. SMITH,
 G. C. CURNS,
Clerks.

EXHIBIT 19.

Copy of poll-list (Logan).

List of names of persons who voted at the election held at the school-house at Tylersville, in the election district of Logan Township, Clinton County, Pennsylvania, on the fifth day of November, 1878.

- | | |
|------------------------|--------------------------|
| 1 David Wolf | 30 Phillip Schreckengost |
| 2 Jonathan Bierly | 31 Benj. Tysen |
| 3 William Glantz | 32 Wm. Cavis |
| 4 James Schreckengost | 33 Michael Schreckengost |
| 5 Simon Greninger | 34 John H. Boone |
| 6 E. M. Grimes | 35 James Casris |
| 7 A. F. Greninger | 36 H. L. Zellers |
| 8 Michael Womer | 37 Sam Kahl |
| 9 J. D. Hubler | 38 Benewill Boone |
| 10 Wm. Bletz | 39 Scott Stover |
| 11 A. J. Mechtly | 40 Jonathan Stover |
| 12 H. Z. Bierly | 41 David Stover |
| 13 John Bletz | 42 John Kastetter |
| 14 John P. Condo | 43 Samuel Moyer |
| 15 J. E. Bierly | 44 Benj. Greninger |
| 16 Peter Kesler | 45 Daniel Bartges |
| 17 David Gingery | 46 Isaac Duck |
| 18 William Aarman | 47 Emanuel Bierly |
| 19 Daniel Khyne | 48 Reuben Moyer |
| 20 J. A. Kahl | 49 Levi Greninger |
| 21 James Aaman | 50 William Strohecker |
| 22 Jonathan Lutz | 51 Benj. F. Klepper |
| 23 Adam Overdorf | 52 Michael Snyder |
| 24 John Zellers | 53 Z. A. Kahl |
| 25 Isaac Frantz | 54 Benj. Wieber |
| 26 Thomas Weaver | 55 O. J. Eckel |
| 27 Peter Schreckengost | 56 W. S. Kahl |
| 28 Daniel Ruhl | 57 John Cavis |
| 29 Peter Seyler | 58 Michael Kaust |

- | | |
|---------------------------|--------------------------|
| 59 John Kleckner | 115 Jesse Shaffer |
| 60 Samuel Lamy | 116 Michael Overdorf |
| 61 T. M. Bierly | 117 John Culby |
| 62 Daniel Long | 118 Isiah Culby |
| 63 J. D. Stover | 119 Jesse G. Miller |
| 64 Adam Miller | 120 James Bierly |
| 65 Henry Weaver | 121 John Bierly (b. s). |
| 66 Emanuel Schreckengost | 122 Henry Shaffer |
| 67 Joseph Schreckengost | 123 W. B. S. Rockey |
| 68 Charles Weaver | 124 Samuel Shaffer |
| 69 Peter Phillips | 125 Emanuel Bressler |
| 70 David Hohm | 126 Jesse Greninger |
| 71 John R. Brown | 127 T. L. Ilgen |
| 72 Robert H. Brown | 128 John Emig |
| 73 Ames McClain | 129 Alfred Schreckengost |
| 74 John H. Moyer | 130 Henry Cooney |
| 75 Ira P. Bechtol | 131 John Wolf |
| 76 William A. Moyer | 132 Peter Kastetter |
| 77 George Kahl | 133 Peter Emig |
| 78 A. H. Vonada | 134 Arthur J. Grieb |
| 79 James Cooney | 135 Samuel Overdorf |
| 80 J. B. Howe. | 136 John Gift |
| 81 William Brown | 137 Daniel Gramley |
| 82 Daniel Moyer | 138 Daniel Bierly |
| 83 Joel Kastetter | 139 Daniel Gift |
| 84 Joel Herb | 140 James Bartges |
| 85 William Lutz | 141 Lewis Gharet |
| 86 John Greninger, senior | 142 Daniel Wolf. |
| 87 John Greninger, junior | 143 Jacob Glantz |
| 88 John S. Beck | 144 John S. Miller |
| 89 John S. S. Jones | 145 George Warntz |
| 90 Isaac Beck | 146 John Ruhl |
| 91 John W. Snyder | 147 Samuel Frantz |
| 92 Samuel Snyder | 148 John M. Bierly |
| 93 Anthony Heggenstatler | 149 Tobias Frantz |
| 94 Henry Beck | 150 Simon Wolf |
| 95 Samuel Schreckengost | 151 Wm. E. Frantz |
| 96 Melchor Schreckengost | 152 M. D. Overdorf |
| 97 William Wolf | 153 William Kastetter |
| 98 Michael Lamy | 154 Adam Kahl |
| 99 Franklin Schreckengost | 155 Emanuel Curin |
| 100 Jacob P. Rishel | 156 Reuben McKee |
| 101 Samuel Ilgen | 157 John Ilgen. |
| 102 Christian Apple | 158 William E. Wolf |
| 103 Samuel Greninger | 159 Hersh Will |
| 104 Calvin Bierly | 160 Philip Swanger |
| 105 David Schrack | 161 Andrew White |
| 106 Jacob Kahl | 162 Samuel Wolf |
| 107 John Glantz | 163 William Harter |
| 108 M. D. Rockey | 164 Abraham Weil |
| 109 A. D. Kleckner | 165 John H. Miller |
| 110 H. B. Kleckner | 166 Oscar Kern |
| 111 Franklin Lutz | 167 Matthias Kern |
| 112 H. A. Meyer | 168 Thomas Kern |
| 113 J. M. Stover | 169 S. R. Boone |
| 114 Jacob Miller | 170 John P. Rhine |

171 Samuel Cavis
 172 Samuel Glantz
 173 Isaac Miller
 174 Samuel Bierly
 175 Jacob Ocker
 176 Henry Rhine
 177 P. T. Schreckengost
 178 Wm. G. Glantz
 179 Jacob Stover
 180 E. M. Delong
 181 J. B. Overdorf
 182 George Shaffer
 183 Charles Greager
 184 Jacob Walizer
 185 A. K. Best

186 John Sheet
 187 William Nicholas
 188 Phillip Wolf
 189 Joel Miller
 190 George Ruhl
 191 A. J. Albright
 192 Henry Greninger
 193 John L. Greninger
 194 Joseph Herb
 195 James Wonuldorf
 196 Adam Shaffer
 197 George Walizer
 198 W. H. Rishel
 199 S. E. Spangler
 200 William Spangler

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy and abstract from the triplicate return sheet so far as the said return relates to and shows the votes cast for member of Congress, also a true and correct copy of the poll-list and the oaths of election officers for the election held in the election district of Logan Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday of November, A. D. 1878 (being the 5th day of November, 1878), so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

Copy of oath of Judge (Logan).

I, Adam Miller, do swear that I will as judge duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others; and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

ADAM MILLER,
Judge of the Election District composed of the Township of Logan.

Sworn and subscribed this 5th day of Nov., 1878, before me.

T. M. BIERLY,
Minority Inspector.

Copy of oath of inspectors (Logan).

We, W. S. Kahl and T. M. Bierly, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors; and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid; but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

T. M. BIERLY,
W. S. KAHL,

Inspectors of the Election District composed of the Township of Logan.

Sworn and subscribed this 5th day of Nov., 1878, before me.

ADAM MILLER, *Judge.*

Copy of oath of clerks (Logan).

We, Z. A. Kahl and O. J. Eckel, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge; and, also, the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

O. J. ECKEL,
Z. A. KAHL,

Clerks of the Election District composed of the Township of Logan.

Sworn and subscribed this 5th day of Nov., 1878, before me.

ADAM MILLER, *Judge.*

Copy of triplicate election return (Logan).

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the school-house at Tylersville, in the township of Logan, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS

A. G. Curtin had one eighty votes (180).

Seth H. Yocum had eighteen votes (18).

* * * * *

In testimony whereof, we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of Nov., A. D. 1878.

(Signed triplicates.)

WILLIAM S. KAHL, [SEAL.]
T. M. BIERLY, [SEAL.]
Inspectors.
ADAM MILLER, [SEAL.]
Judge.

Attest:

O. J. ECKEL.
Z. A. KAHL.
Clerks.

EXHIBIT 20.

Copy of poll-list.

List of names of persons who voted at the election held at the dwelling house of I. W. Fravel in the election district of Crawford Township, Clinton County, Pennsylvania, on the 5th day of November, 1878.

- | | |
|----------------------|---------------------------|
| 1 Tillman Rauch | 37 Wm. Thomas |
| 2 E. L. Robbins | 38 Geo. M. Gheen (const.) |
| 3 Geo. Mills | 39 Harvey H. Showers |
| 4 J. Miles Keiler | 40 Jacob Bixel |
| 5 Geo. M. Dunlap | 41 Jacob Fahringer |
| 6 Samuel Matter | 42 Jno. M. Sheadle |
| 7 David Sheaffer | 43 Hammond H. Showers |
| 8 Isaac Eyer | 44 Isreal Karstetter |
| 9 Jacob Umpstead | 45 Chas. Keiler |
| 10 Edward Laubach | 46 Wm. Frantz |
| 11 Jacob Getgen | 47 Jesse Showers |
| 12 Henry Zerbe | 48 Jno. Eyer |
| 13 Jarvis Packer | 49 T. F. Sallada |
| 14 Geo. Brocius | 50 Geo. S. Sheadle |
| 15 W. B. Rockey | 51 Wm. L. Sheadle |
| 16 Wm. McKeagne | 52 Jesse A. Gheen |
| 17 Daniel Sheadle | 53 Geo. W. Brown |
| 18 Chas. Bower | 54 Samuel Eyer |
| 19 Samuel Overdorf | 55 M. A. Thomas |
| 20 Frederick Dentz | 56 Christian Weidler |
| 21 John Miller | 57 Houston Weidler |
| 22 Jacob Bower | 58 Josiah Pearson |
| 23 Wm. Williams | 59 Geo. W. Sheadle |
| 24 John Swerly | 60 J. W. Fravel |
| 25 Jos. Williams | 61 Isaac B. Sheadle |
| 26 Jas. Chatham | 62 Thos. Gheen |
| 27 Wm. Welshaus | 63 Jas. Casper |
| 28 Wm. Wilt (age) | 64 Wm. Phlegar |
| 29 P. E. Irwin | 65 W. T. Gheen |
| 30 Jno. Metzgar | 66 Peter W. Rauch |
| 31 Isaac Robbins | 67 Chas. Laubach |
| 32 David Stine | 68 Fillman Group |
| 33 W. H. Irwin | 69 Millard F. Showers |
| 34 Geo. Fenstermaker | 70 Cyrus Sweier |
| 35 Jos. Welshaus | 71 Jacob Overdorf |
| 36 Peter Stine | 72 Samuel Dunlap |

73 J. W. Group
 74 W. Lanbach
 75 Thos. Phlegar
 76 Jacob Frantz
 77 A. C. Chatham
 78 Henry D. Frantz
 79 Jesse Gheen, sr.
 80 Jas. K. P. Robbins
 82 Daniel Showers
 81 John W. Pearson
 83 Jos. Fravel

84 H. M. Irwin
 85 Henry Showers
 86 Franklin Lanbach
 87 Elias G. Showers
 88 Obediah Moore
 89 Jos. Wensel
 90 Robt. C. Sheadle
 91 Daniel Knouff
 92 Samuel Wensel
 93 J. W. Ammonds

STATE OF PENNSYLVANIA, *County of Clinton, ss:*

I, George W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet, so far as said relates to and shows the votes cast for member of Congress; also a true and correct copy of the poll-list and the oaths of election officers for the election held in the election district of Crawford Township in the said county of Clinton and State of Pennsylvania on the first Tuesday (being the 5th day) of November, A. D. 1878, so full and entire as the same were returning to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER, *Prothonotary.*

Copy of oaths of election officers (Crawford).

I, Jos. Welshaus, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of said election, and will in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOSEPH WELSHAUS,

Judge of the Election District composed of the Twp. of Crawford.

Sworn and subscribed this 5th day of Nov., 1878, before me.

PETER E. IRWIN, *J. P.*

We, H. M. Irwin and Alf. C. Chatham, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of the commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote

as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. C. CHATHAM,
H. M. IRWIN,

Inspectors of the Election District composed of the Twp. of Crawford.

Sworn and subscribed this 5th day of Nov., 1878, before me.

PETER E. IRWIN, *J. P.*

We, David Stine and P. H. Irwin, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not, directly or indirectly, interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. H. IRWIN,
DAVID STINE,

Clerks of the Election District composed of the Twp. of Crawford.

Sworn and subscribed this 5th day of Nov., 1878, before me.

PETER E. IRWIN, *J. P.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the dwelling house of I. W. Fravel, in the twp. of Crawford, of Clinton County, Pennsylvania, do certify that, upon closing polls and counting the votes, it appeared that for—

* * * * *

CONGRESS.

Andrew G. Curtin had 52.

Seth H. Yocum had 39.

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the — day of —, A. D. 187—.

(Signed triplicates.)

A. C. CHATHAM, [SEAL.]
HENRY M. IRWIN, [SEAL.]

Inspectors.

JOSEPH WELSHAUS, [SEAL.]
Judge.

Attest:

W. H. IRWIN,
DAVID STINE, *Clerks.*

EXHIBIT 21.

Copy of poll-list.

List of names of persons who voted at the election held at the house lately occupied as an office by Levi Conser, in Logansville, for the election district of Greene Township, Clinton County, Pa., on the fifth day of November, 1878.

- | | |
|-------------------------|----------------------------|
| 1 D. K. Heckman | 48 Henry Reninger |
| 2 Eli Wolf | 49 Philip Wirth |
| 3 John Schrack | 50 Joseph Brumgard |
| 4 D. L. Stamm | 51 Daniel Emert |
| 5 J. K. Heckman | 52 C. W. Milner |
| 6 Isway Heckman | 53 John Gramly |
| 7 Martin Brumgard | 54 David Gramly |
| 8 Samuel Bechtal | 55 John B. Schrack |
| 9 Daniel Bechtal | 56 Daniel Wolf |
| 10 Cornelius Kerstetter | 57 Frederick Holtman |
| 11 Henry Wolf | 58 Jacob Earon |
| 12 Joseph Raudabach | 59 G. C. Righter |
| 13 Henry Detwiler | 60 Joseph Embick |
| 14 William Wolf | 61 Jacob Engel |
| 15 Jacob S. Tyson | 62 Scott Albright |
| 16 H. H. Wise | 63 J. J. Barner |
| 17 Emanuel Raudabach | 64 Barnhart Zimmerman |
| 18 Cornelius Brumgard | 65 Franklin Beck |
| 19 Geyer Augustus | 66 Samuel Sheetz |
| 20 Philip Karcher | 67 John Wise |
| 21 Jonathan Lebo | 68 Israel D. Barner |
| 22 Daniel Lamy | 69 John Goodman, jr. (tax) |
| 23 Andrew Eute. | 70 Daniel Keister |
| 24 George Schroyer | 71 John Snook |
| 25 Jared Snook | 72 Joseph W. Snook |
| 26 Samuel Frankenberger | 73 David S. Stamm |
| 27 Jacob Frank | 74 Scott Kerstetter |
| 28 Charles Bruner | 75 Daniel Gramby |
| 29 Jacob Mark | 76 William W. Knauff |
| 30 Philip Gramley | 77 Divine Jones |
| 31 William Brumgard | 78 Jacob Barner |
| 32 John Douty | 79 John Critz |
| 33 H. M. Clark | 80 William Gramby (age) |
| 34 S. T. Weaver | 81 Peter Womeldorf |
| 35 Anthony Dress | 82 William Rine |
| 36 Elias Confer | 83 Henry Mertz |
| 37 Henry M. Schwenk | 84 Jonathan Bower |
| 38 Nathaniel Schrack | 85 John Sayer |
| 39 Daniel Schrack | 86 Jacob Bower |
| 40 M. J. Keister | 87 Jacob Reninger (age) |
| 41 Amos Frank | 88 John H. Barner |
| 42 William Clark | 89 Jacob Herman |
| 43 Amos Zeigler | 90 Thomas Emert |
| 44 Adam Mark | 91 J. A. Critz |
| 45 Frederick Stork | 92 J. L. Frank |
| 46 S. S. Schwenk | 93 Reuben Douty |
| 47 J. L. Boone | 94 Daniel Mark |

- | | |
|---------------------------|---------------------------|
| 95 George Barner | 151 David Miller |
| 96 Samuel F. Miller | 152 Abel Nearhood |
| 97 Samuel Brown | 153 Christian Lamey |
| 98 Jacob Tyson | 154 Ambrose Goodman |
| 99 Frederick Amm | 155 Hiram Goodman |
| 100 H. H. Bixler | 156 Joseph Snyder |
| 101 Adam Reuther | 157 Henry Traite |
| 102 Andrew Jamison | 158 Daniel Troutner |
| 103 Jacob Bucher | 159 Emanuel Wirth |
| 104 Lucius Wynn | 160 George Wagner |
| 105 George Brumgard | 161 Jesse S. Schrack |
| 106 Thomas Wynn | 162 William Stork |
| 107 John Fetler | 163 Samuel Lehman |
| 108 Henry Hoffmeister | 164 A. N. Lamey |
| 109 Herman Reuther | 165 John Esterline |
| 110 William M. Weaver | 166 Alexander Womeldorf |
| 111 Cristopher Karcher | 167 John Womeldorf, jr. |
| 112 Thomas Bailey | 168 William Schrack |
| 113 Jacob Emert | 169 Isaac Knepp |
| 114 Isaac Rumberger | 170 Jonathan Confer |
| 115 John Fidler | 171 Josiah Herman |
| 116 Franklin Buck | 172 Samuel Eisenhower |
| 117 Pierce Zellers | 173 William Herman |
| 118 Henry K. Miller | 174 John Washburn |
| 119 Lawrence Keister | 175 David Reninger |
| 120 Peter Douty | 176 Samuel Esterline |
| 121 Henry Embick | 177 Conrad Bowersox |
| 122 Herman Klobe (age) | 178 A. A. Kinley |
| 123 George Lynch | 179 Alexander Hall (tax) |
| 124 W. L. Gramly | 180 Jacob Sheetz |
| 125 Adam Matter | 181 Joseph Snook |
| 126 William F. Frank | 182 Benjamin Nearhood |
| 127 Joseph Boyer | 183 Lewis Moyer |
| 128 Daniel Confer | 184 Christian Earon |
| 129 Harvey Snook | 185 Joseph Nevel (tax) |
| 130 John W. Earon | 186 Melchor Bechtol (tax) |
| 131 Alfred Moyer | 187 George Engelhart |
| 132 George Troutner | 188 C. C. Harbach |
| 133 Jonathan S. Geistwite | 189 Samuel Hess |
| 134 John Womeldorf | 190 A. F. Schroeder |
| 135 James Geistwite | 191 George Snook |
| 136 Jacob Moyer | 192 John Strohecker |
| 137 Daniel Brumgard | 193 John Wirth |
| 138 Henry Wise | 194 Andrew Gramly |
| 139 Jonathan Ohmeise | 195 John Thomas |
| 140 Lewis B. Rine (age) | 196 John Rowe |
| 141 John W. Meisner | 197 Henry Hoover |
| 142 John F. Price | 198 Andrew Knerr |
| 143 Adam Matter | 199 Philip Lamey |
| 144 Samuel Trump | 200 Charles Albright |
| 145 Josiah Matter | 201 Charles Stork |
| 146 John Emert | 202 John H. Fidler |
| 147 A. I. Eckel | 203 John H. Smith |
| 148 Samuel Womeldorf | 204 Samuel Sholl |
| 149 John K. Herman | 205 Aaron Gettig |
| 150 Samuel W. Price | 206 J. H. Matter |

207 Aaron Embich
 208 Solomon Lupold
 209 Julius Schroeder
 210 Solomon Knerr
 211 Charles Lytle
 212 Lewis Snook
 213 Thomas Snook
 214 John K. Poorman
 215 Isaih Bierly
 216 John F. Rockey
 217 J. L. Eckel
 218 Frederick Womeldorf
 219 Jeremiah Walker
 220 George Lockhoof
 221 Daniel Eugel
 222 F. V. Royer
 223 Edgar Schwenk
 224 Emanuel Esterline
 225 H. N. Kreamer
 226 Elias Kreamer
 227 William Kashner

228 David Geistwite
 229 William Lupold
 230 Michael Kashner
 231 George Hopple
 232 Isaac Bartholomew
 233 Henry L. Beck
 234 William Kreninger
 235 John F. Beck
 236 John Zeller
 237 Jonathan Schroyer
 238 Adam Schroyer
 239 Aaron Schroyer
 240 Thomas Gerrety
 241 David Schroyer
 242 Emanuel Schroyer
 243 Thomas Brumgard
 244 Christian Earon, jr
 245 William Price (tax)
 246 John Knerr
 247 John R. Schrack

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy and abstract from the triplicate return sheet, so far as said return relates to and shows the votes cast for member of Congress; also a true and correct copy of the poll-list and the oaths of election officers for the election held in the election district of Greene Township, in the said county of Clinton and State of Pennsylvania, on the first Tuesday of November, A. D. 1878 (being the 5th day of November, 1878), so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court at Lock Haven this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

Copy of oath of judge—Greene Township.

I, Philip Gramly, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by the citizens qualified to vote or others; and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any

elector shall have voted unless required to do so as a witness in a judicial proceeding.

PHILIP GRAMLY,
*Judge of the Election District composed of the
Township of Greene, County of Clinton.*

Sworn and subscribed this fifth day of Nov'ber, 1878, before me.

DANIEL SCHRACK,
Minority Inspector.

Copy of oaths of inspectors.

We, Jacob Mark and Daniel Schrack, do swear that we will duly attend the ensuing election during the continuance thereof as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JACOB MARK,
DANIEL SCHRACK,
*Inspectors of the Election District composed of the
Township of Greene, County of Clinton.*

Sworn and subscribed this fifth day of November, 1878, before me.

PHILIP GRAMLY, *Judge.*

Copy of oaths of clerks.

We, J. L. Eckel and Henry R. Miller, do swear that we will as clerks impartially and truly write down the names of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

J. L. ECKEL,
HENRY R. MILLER,
*Clerks of the Election District composed of the
Township of Greene, County of Clinton.*

Sworn and subscribed this fifth day of Nov'ber, 1878, before me.

PHILIP GRAMLY, *Judge.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday) of November, A. D. 1878, at the house lately occupied by Levi Conser as an office in the borough of Logansville for the township of Greene, in Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS.

Andrew G. Curtin had one hundred & eighty-two votes (182).
Seth H. Yocum had sixty-four votes (64).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

JACOB MARK, [SEAL.]
DANIEL SCHRACK, [SEAL.]
Inspectors.
PHILIP GRAMLY, [SEAL.]
Judge.

Attest:

J. L. ECKEL,
HENRY R. MILLER,
Clerks.

EXHIBIT 22.

Copy of poll-list.

List of names of persons who voted at the election held at the house of Mrs. Harriet Smith, in the election district of Pine Creek Township, Clinton County, Pa., on the 5th day of November, 18—:

- | | |
|--------------------------|-------------------------------|
| 1 William Hoover | 21 Wm. J. J. Hamilton |
| 2 Sydney Offord | 22 Wm. H. Kline |
| 3 Samuel Simcox | 23 Corad Speck |
| 4 Robert A. Shaw | 24 Henry F. Crist |
| 5 Wm. Sleisenger | 25 Bower Kissell |
| 6 Jacob Sands, sr. | 26 Milliard F. Kissell |
| 7 Aron Sands | 27 George M. Bettz |
| 8 William Davidson | 28 Samuel Geise |
| 9 Frederick Rahorn, sr. | 29 Joseph Meyres |
| 10 William Britton | 30 Wm. Rice |
| 11 James H. McKinney | 31 Mathew Furgason |
| 12 John McKinney | 32 Charles A. Fry (on age) |
| 13 John Rahorn | 33 David Laman |
| 14 Frederick Rahorn, jr. | 34 S. C. Huling, sr. |
| 15 Wm. J. Henry | 35 Jacob M. Sands, jr. |
| 16 George Crawford | 36 George Crist |
| 17 Robert S. Smith | 37 Joseph Homler |
| 18 Robert H. Crist | 38 I. S. Simmons |
| 19 Henry H. Meyers | 39 Samuel M. Simmons (on age) |
| 20 Jacob Eisner | 40 M. B. Rich |

41 Alexander Hamilton
 42 J. R. Gallagher
 43 George J. Ramm
 44 Elias Cramer
 45 J. R. Geise
 46 M. F. Simcox
 47 Jacob Riggle
 48 Isick Hamilton
 49 Philip Guntlauch
 50 James Scout
 51 John R. Geise
 52 Robbert Patterson
 53 A. R. Hamilton
 54 William Bilby
 55 William Walters
 56 Georg Farley
 57 Andy Jonson
 58 C. B. Shaw
 59 W. T. Crist
 60 R. M. Shaw
 61 David V. Crist
 62 Wm. Shaw
 63 Robbert Kissell
 64 Jos. F. McGuire
 65 James B. Kline
 66 Joseph Ayers
 67 J. D. Pfouts
 68 Isick Kissell
 69 James Nicklas, sr.
 70 Peter Marks
 71 Thomas Wolf
 72 Samuel Thomas
 73 Calvin Smith
 74 Wm. Wolf
 75 Jacob Emory
 76 John Busler
 77 John P. Watters
 78 John F. Crist
 79 John Kurts
 80 Adam Bierly
 81 Edward Bilby
 82 Fred. Beaver
 83 Michael Bicer
 84 Robbert Fisher
 85 David Shadle
 86 Henry Fry
 87 Robbert B. Staver
 88 Frederick Dutt
 89 Philip Gunlauch
 90 Benevill Kline
 91 Frederick Beaver
 92 Daniel F. Dutt
 93 Solomon Shaffer
 94 Wm. Lehman
 95 Nelson Rouch
 96 Wm. Bettz

97 Daniel Kline
 98 Jacob Kline, sr.
 99 Elx. Martin
 100 Everhart Marks
 101 Mathew Rodgers
 102 John Miller
 103 Louis Stevens
 104 George Meyers
 105 Reuben Sands
 106 Jacob Kline
 107 Thomas Yarick
 108 Wm. Guttshall
 109 George S. Kline (age)
 110 W. C. Hesser
 111 Frederick Warner
 112 David Heck
 113 Joseph Martin
 114 Joseph Chubb, sr.
 115 Wm. Chubb
 116 W. H. Wolerton
 117 George Geise
 118 Adam Rowe
 119 Wm. Brown
 120 George Lehman
 121 H. B. Geise
 122 Hugh Shaw
 123 Wm. Yarick
 124 Robbert Miller
 125 Lou Schneider
 126 J. V. Philips
 127 Charles Marks
 128 Joseph Meyers
 129 Andrew Hoover
 130 John Landers
 131 George Emory
 132 Jaxson Doughert
 133 Frank Coble
 134 J. F. Huling
 135 J. F. Rich, sr.
 136 J. H. Hill
 137 Henry Farley
 138 John F. Rich, jr.
 139 Samuel Bailey
 140 Daniel Eichelberger
 141 Wm. Donley
 142 John Chubb
 143 Henry Sheheley
 144 Henry Emory
 145 L. B. Stoubt
 146 H. C. Ohl
 147 John M. Young
 148 Robbert Steveson
 149 Moris Fredericks
 150 John Simcox
 151 John Hamilton
 152 M. F. Cryder

153 Charles Henry
 154 Solomon Huffman
 155 Micel Ohl
 156 James Nichels
 157 Jacob Keller
 158 Joe Chubb, jr.
 159 Fred Strawsser
 160 Wm. Steveson
 161 Elick Steveson
 162 Wm. Stephounse
 163 George Fry
 164 Sames Guire
 165 Frank Lanx
 166 Adam Earon
 167 Theodore Ramm
 168 Samu Kissell
 169 George Shaw
 170 Edward Wentz
 171 John Spong, sr.
 172 Wm. A. Kissell
 173 B. C. Miller
 174 T. G. Shurr
 175 Jess Chamberling
 176 Samu Spong
 177 Thomas Simmons
 178 Emanuel Harmon
 179 H. H. Winson
 180 J. F. Brobst

181 John Barto
 182 James Meyers
 183 Peter Zahn
 184 John Nicklas
 185 John Bennett
 186 John H. Wineson
 187 Jam. G. Hubberd
 188 John Augst
 189 John Hoover
 190 A. C. Kissell
 191 S. C. Huling, jr.
 192 John Huling
 193 Albert Furgason
 194 Fred. Swope
 195 Joseph Farley
 196 John Spong, jr.
 197 Nelson Thomas
 198 S. A. Thomas
 199 James G. Shaw
 200 J. T. McKinney
 201 James Spong
 202 H. C. Laughbach
 203 Robbert Sours
 204 Charles Foringer
 205 William Oaks
 206 R. C. Krimer
 207 James Philips
 208 Micel Andrews

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of an abstract from the triplicate return-sheet so far as said return relates to and shows the votes cast for member of Congress ; also a true and correct copy of the poll list or list of voters, and the oaths of election officers for the election held in the election district of Pine Creek Township in the said county of Clinton, and State of Pennsylvania, on the first Tuesday (being the fifth day) of November, A. D. 1878, so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand, affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

Copy of triplicate election returns.

We, the undersigned, elected and sworn inspectors and judge of the election held on Tuesday, the 5th day of November (day being the first Tuesday of November), A. D. 1878, at the publick house of Hariett Smith, in the Pine Creek election district of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes, it appeared that for—

* * * * *

CONGRESS.

Seth H. Yocum had one hundred four (104) votes.

A. G. Curtin had one hundred three (103) votes.

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5 day of November, A. D. 1878.

(Signed triplicates.)

R. C. CRIST, [SEAL.]
WM. H. KLINE, [SEAL.]
Inspectors.
R. S. SMITH, [SEAL.]
Judge.

Attest:

HENRY F. CRIST,
WM. J. HENRY,
Clerks.

Copy of poll list.

List of names of persons who voted at the election held at the court house, Lock Haven, Pa., in the election district of second ward, Clinton County, Pa., on the 5th day of November, 1878.

- | | |
|---------------------|----------------------|
| 1 C. F. Mann | 32 K. D. Smith |
| 2 Robt. F. Sloan | 33 George Lent |
| 3 A. F. Ryon | 34 Robt. Washington |
| 4 John W. Smith | 35 J. N. Sloan |
| 5 P. W. Keller | 36 Christ. Lehr |
| 6 A. L. Merrill | 37 Peter Spies |
| 7 Geo. A. Brown | 38 G. W. Batcheler |
| 8 W. J. McLees | 39 J. R. Youngman |
| 9 T. T. Abrams | 40 A. S. A. Fleming |
| 10 Chas. Parker | 41 John Morris |
| 11 H. C. Sloan | 42 Wm. Burge |
| 12 S. W. Caldwell | 43 J. H. Hayes |
| 13 Benj. Myers | 44 Robt. H. McGhee |
| 14 Jno. D. Petrikin | 45 R. B. Watson |
| 15 H. A. Childs | 46 Peter Meitzler |
| 16 E. L. Barrett | 47 Alex. Zesiger |
| 17 Jacob Smith | 48 James Farmer |
| 18 Wm. H. Brown | 49 Jno. G. Harrison |
| 19 H. C. Evans | 50 Robt. Macklen |
| 20 Jacob Kamp | 51 Duke Farnsworth |
| 21 Bartley Smith | 52 Israel Maier |
| 22 Rich'd Dettling | 53 E. A. Faucher |
| 23 Edward Herman | 54 Herman Simon |
| 24 Robt. Reed | 55 Charles Churchill |
| 25 Geo. C. Harvey | 56 Adam Kamp |
| 26 J. W. Morgan | 57 Robt. Barber |
| 27 Wm. Blesh | 58 Jno. S. McGinnes |
| 28 Isaac A. Harvey | 59 A. G. Walls |
| 29 Isaac Allabach | 60 P. P. Rittman |
| 30 Robt. D. Peck | 61 A. C. Hopkins |
| 31 L. R. McGill | 62 George Welsh |

- | | |
|-----------------------|------------------------|
| 63 R. H. Fletcher | 119 Samuel Newcomer |
| 64 John Paul | 120 Thomas J. Fox |
| 65 Simon Smeltzer | 121 Frank Reed |
| 66 Moses Sondheimer | 122 H. C. Hartman |
| 67 Ignatz Faehndrich | 123 Wm. Herr |
| 68 Wm. S. Fletcher | 124 Joseph Mauger |
| 69 Dewit C. Boyle | 125 Jacob Basinger |
| 70 Edward Snyder | 126 N. Shaw |
| 71 Adam Zeigler | 127 L. A. Mackey |
| 72 P. J. Keller | 128 E. B. Molson |
| 73 Paul S. Merrill | 129 G. W. Winner |
| 74 Wm. Kahlfell | 130 J. D. Fleisher |
| 75 J. C. Richards | 131 Jonas Zindell |
| 76 C. M. O'Conner | 132 Henry Nunenmacher |
| 77 F. S. Smith | 133 Wm. Askey |
| 78 F. M. Ross | 134 G. W. Cripps |
| 79 L. B. Schuyler | 135 Joseph Pretet, jr. |
| 80 Joseph Rouell | 136 William Shiebele |
| 81 Jno. Mulqueen | 137 A. J. St. Clair |
| 82 Lewis Simon | 138 Jno. S. Haynes |
| 83 J. H. Bierly | 139 James Doran |
| 84 Jno. F. Brown | 140 John J. Myers |
| 85 Richard Jackson | 141 Walter Chatham |
| 86 Adam Stitzman | 142 Orange Holmes |
| 87 Wm. H. Davis | 143 Edw'd Smith |
| 88 Henry Berkenhaur | 144 Frank Bowers |
| 89 Sam'l Pearson | 145 H. L. Dieffenbach |
| 90 Jacob Gephard | 146 Hayes Sloan |
| 91 Chas. Kammerer | 147 Rob't Honsel |
| 92 J. F. Larrimer | 148 Edw'd Lublear |
| 93 H. W. Jacoby | 149 A. H. Newcomer |
| 94 P. B. Merrill | 150 Maurice Messinger |
| 95 R. S. Barker | 151 A. B. Melick |
| 96 Wm. Huling | 152 J. N. Farnsworth |
| 97 A. R. Sloan | 153 L. M. Abrams |
| 98 Thos. Rockey | 154 Chas. Shoemaker |
| 99 Henry Stires | 155 Frank Roepper |
| 100 Thos. Kleckner | 156 Chas. H. Sperring |
| 101 Lewis Harberstroh | 157 W. A. Sloan |
| 102 J. G. Harris | 158 Jefferson Lander |
| 103 Celeste Verrier | 159 Jno. R. Stevenson |
| 104 Clement Walters | 160 Alex. Sloan |
| 105 Jos. Shoemaker | 161 Jos. Grafius |
| 106 David Stevenson | 162 Wm. Reed |
| 107 S. M. McCormick | 163 Jacob Rinn |
| 108 S. S. Abrams | 164 Wm. Amlaw |
| 109 Thos. Carson | 165 Wm. Sterner |
| 110 John D. Stratton | 166 W. L. Hawkins |
| 111 Peter Beck | 167 Chas. Glock |
| 112 Jno. Craninger | 168 J. T. Holmes |
| 113 Jno. H. Brown | 169 Lyons Mussina |
| 114 Geo. W. McDonald | 170 Jno. Esenwine |
| 115 J. L. Thiele | 171 James Livingston |
| 116 Jas. Dunlap | 172 Anthony Hipp |
| 117 Hugo Schwartz | 173 W. K. Seltzer |
| 118 J. F. Seltzer | 174 Henry Bantleon |

175 Casper Dornkamper	231 Miles Towns
176 Jno. C. Jones	232 John Croak
177 Aug. Jones	233 Jacob Scott
178 Frank Esenwine	234 Michael Hawley
179 Gotlieb Esenwine	235 Anselon Seiter
180 David Dubler	236 Robert Soler
181 George Curts	237 Reuben Bantleon
182 David Sage	238 Fleming McGill
183 Jacob Goldstein	239 Victor Simon
184 Jacob Johnson	240 Jno. Schuyler, jr.
185 Eli S. Bitner	241 Chas. Hetzel
186 A. S. Kittner	242 Lewis Brendel
187 W. H. Beck	243 H. D. Hackley
188 Wm. A. Lander	244 Nicholas Leutz
189 C. G. Wiedhahn	245 Xavier Hindelong
190 F. L. Elwell	246 Richard Brown
191 John Stein	247 W. P. Bigony
192 Andrew Best	248 Farley Stout
193 Thos. Reed	249 Barnes Kintzing
194 W. S. Clawater	250 Robert Martin
195 George Ulp	251 Basil Rinacher
196 Jas. H. Boggis	252 Gottlieb Rinocher
197 G. W. Dauer	253 Sam'l R. Compton
198 P. B. Mellick	254 E. C. Best
199 E. A. Mackey	255 Moses Weil
200 J. H. Bentley	256 Chas. Leonhard
201 Jos. Snyder	257 M. L. Clay
202 H. C. Howell	258 Sam'l H. Smith
203 Jno. P. Black	259 Lloyd Mann
204 T. C. Hilton	260 Adam Euglert
205 J. H. Weaver	261 Jacob Stuber
206 Wm. Carey	262 Jno. Stiner
207 Philip Keller	263 Jno. Smithers
208 Jacob Keller	264 Rufus Reed
209 J. G. Fox	265 E. J. Seltzer
210 Jacob Ulp	266 Julius Man
211 Amos Knabb	267 Jno. B. McGill
212 J. I. Curtin	268 Jno. Shaffner
213 George Mason	269 Chas. Parsons
214 George Yocum	270 Alex. Lachat
215 Charles Euglert	271 Benj. Botorf
216 Wm. Probst	272 Casper Remick
217 Jacob Smith	273 Bendelin Shaffner
218 James C. White	274 John Honan
219 David Cochran	275 Jacob Krause
220 L. M. Schuyler	276 E. J. Swavely
221 J. H. Hiller	277 Wm. B. Drake
222 Harry Hopson	278 A. Farnsworth
223 Wm. Basinger	279 Jno. Keller
224 Percy H. White	280 Jno. Sorgen
225 Jacob Grafius	281 Edw. Monagan
226 Henry Keller	282 Wm. Hoover
227 Christian Maurer	283 Andrew Michael
228 Simon Scott	284 W. S. King
229 Wm. Livingston	285 Levi Sheid
230 Geo. Bittner	286 Reuben Reitnauer

287 Jas. Levan
 288 Wm. Shroeder
 289 John Cummings

290 Lewis Winner
 291 Godfry Keiner

Copy of oaths of election officers.

I, George A. Brown, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by the citizens qualified to vote or others; and that I will make a true and perfect return of said election and will in all things truly, impartially, and faithfully perform my duties respecting the same to the best of my judgement and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

GEORGE A. BROWN,

*Judge of the Election District composed of the
 Second Ward of the City of Lock Haven, Pa.*

Sworn and subscribed this 5th day of Nov., 1868, before me.

W. A. SLOAN, *Minority Inspector.*

We, Charles H. Sperring and Wm. A. Sloan, do affirm that we will duly attend the ensuing election during the continuance thereof, as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially, and faithfully perform our duties therein to the best of our judgements and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

C. H. SPERRING,
 W. A. SLOAN,

*Inspectors of the Election District composed of the
 Second Ward of the City of Lock Haven, Pa.*

Affirmed and subscribed this 5th day of Nov., 1878, before me.

GEORGE A. BROWN, *Judge.*

We, Robert C. Reed and Isaac A. Harvey, do affirm that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as

his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

ROBT. REED,
ISAAC A. HARVEY,
*Clerks of the Election District composed of the
Second Ward of the City of Lock Haven, Pa.*

Affirmed and subscribed this 5th day of November, 1878, before me.
GEORGE A. BROWN, *Judge.*

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return sheet so far as said return relates to and shows the number of votes cast for member of Congress; also a true and correct copy of the poll-list and the oaths of election officers for the election held in the election district of the second ward of the city of Lock Haven, in the said county of Clinton and State of Pennsylvania, on the first Tuesday of November, A. D. 1878 (being the 5th day of November, 1878), so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER,
Prothonotary.

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law inspectors and judge of election, held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the court-house of Clinton County, in the second ward of Lock Haven (Pa.), of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS

Andrew G. Curtin had one hundred and forty-six votes.

Seth N. Yocum had one hundred and thirty-eight votes.

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

C. H. SPERRING, [SEAL.]
W. A. SLOAN, [SEAL.]
Inspectors.
GEO. A. BROWN, [SEAL.]
Judge.

Attest:

ROBERT REED,
ISAAC A. HARVEY,
Clerks.

EXHIBIT No. 24.

Copy of poll-list.

List of names of persons who voted at the election held at the school-house, in the election district of Logansville Borough, Clinton County, Pennsylvania, on the 5th day of November, 1878.

1 Geo. A. Aehenbach	50 Wm. F. Moyer
2 Jno. Moyer	51 John Garsting
3 Joel Karstetter	52 James L. Cole
4 D. M. Morris	53 Sam'l Stamm
5 Wm. R. Goodman	54 George Smith
6 Henry Stem	55 Sam'l Ludwig
7 John Engle, jr.	56 Isreal Bierly
8 Jno. Gramley	57 C. W. Kleckner
9 Jacob Kister	58 Wm. H. Weaber
10 John Heller, sr.	59 E. H. Kister
11 Joseph Kleckner	60 Isway Karstetter
12 Wade Barnum	61 John Engle
13 John A. Heller	62 George Goodman
14 Peter Rishel	63 W. S. Parker
15 B. F. Kister	64 John E. Wise
16 Samuel Goodman	65 Jos. Bowersox
17 J. A. Houtz	66 D. P. Kline
18 Henry Wren	67 Wm. Decker
19 C. O. Moyer	68 I. C. Smith
20 Geo. D. Tibbens	69 Samuel Kleckner
21 T. T. Parker	70 Henry Wirth
22 H. L. Murray	71 J. W. Reighard
23 John W. Lupold, age	72 John Morris
24 Geo. W. Shively	73 Em'l Huber
25 H. B. Karstetter	74 Michael Karstetter
26 Geo. Kleckner	75 J. C. Smith
27 Wm. Smith	76 S. W. Karstetter
28 Wm. H. Smith, age	77 John Berry
29 Jonathan Snyder	78 Jos. Kemerer
30 A. H. Bower	79 Chas. Parker
31 Adam Huber	80 Jesse M. Adams
32 John Ludwig	81 Aaron Bartges
33 L. W. Snook	82 F. W. Confer
34 J. J. Herlacher	83 Jerry Fidler
35 M. Fetterhoof	84 C. W. Conser
36 L. F. Rockey	85 S. Huber
37 J. C. Goodman	86 David Ludwig
38 Em'l Heller	87 Daniel Karstetter
39 George P. Reighard	88 Wm. H. Ohl
40 Levi Conser	89 L. F. Trump
41 D. M. Brumgard	90 Sam'l Wohlfart
42 F. G. Berry	91 Geo. C. Breon
43 E. W. Dow	92 John Mayes
44 H. T. Cole	93 R. H. Karstetter
45 S. W. Snyder	94 Geo. H. Wirth
46 Henry J. Hockman	95 Harmon Barner
47 Henry Karstetter	96 Jas. F. Berry
48 D. W. Reighard	97 Geo. B. Yeager.
49 Elias Zellers	

STATE OF PENNSYLVANIA,
County of Clinton, ss :

I, G. W. Batcheler, prothonotary of the court of common pleas of Clinton County, do hereby certify that the within and foregoing is a true and correct copy of and abstract from the triplicate return-sheet, so far as said return relates to and shows the votes cast for member of Congress ; also a true and correct copy of the poll-list and the oaths of election officers for the election held in the election district of the borough of Logansville, in the said county of Clinton and State of Pennsylvania, on the first Tuesday of November, A. D. 1878 (being the 5th day of November, 1878), so full and entire as the same were returned to and remain on file in my office.

In witness whereof I have hereunto set my hand and affixed the seal of the said court, at Lock Haven, this 13th day of March, A. D. 1879.

[SEAL.]

GEO. W. BATCHELER, *Prothonotary.*

I, Robt. S. Smith, do solemnly swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same ; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities ; that I am not directly or indirectly interested in any bet or wager on the result of this election ; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

R. S. SMITH,
*Judge of the Election District composed
of the Township of Pine Creek.*

Sworn and subscribed this fifth day of Nov., 1878, before me.

R. A. SHAW, *J. P.*

We, Robert Crist & W. H. Kline, do swear that we will duly attend the ensuing election during the continuance thereof as an inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law ; nor will we vexatiously delay or refuse to receive any vote from any person who we shall believe to be entitled to vote as aforesaid, but that we will in all things truly, impartially and faithfully perform our duty therein to the best of our judgment and abilities ; that we are not directly or indirectly interested in any bet or wager on the result of this election ; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ROBERT CRIST,
WM. H. KLINE,
*Inspectors of the Election District composed
of the Township of Pine Creek.*

Sworn and subscribed this fifth day of Nov., 1878, before me.

R. A. SHAW, *J. P.*

We, W. J. Henry & H. F. Crist, do swear that we will, as a clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duty respecting the same, to the best of our judgment and ability; that we are not directly or indirectly interested in any bet or wager on the result of this election, and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

HENRY F. CRIST,

WM. J. HENRY,

*Clerk of the Election District composed of the
Township of Pine Creek.*

Sworn and subscribed this fifth day of Nov., 1878, before me.

R. A. SHAW, *J. P.*

Copy of oaths of officers, Logansville Boro'.

I, Henry Stem, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent fraud, deceit, or abuse in carrying on the same, by the citizens qualified to vote or others, and that I will make a true and perfect return of said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

HENRY STEM,

*Judge of the Election District composed of the
Borough of Logansville.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

D. M. MORRIS, *J. P.*

We, W. R. Goodman and H. B. Karstetter, do swear that we will duly attend the ensuing election as inspectors, and that we will not receive any ticket or vote from any person other than such as we shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will we vexatiously delay or refuse to receive any vote from any person whom we shall believe to be entitled to vote as aforesaid, but that

we will in all things truly, impartially and faithfully perform our duties therein to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. R. GOODMAN,

H. B. KARSTETTER,

*Inspector of the Election District composed
of the Borough of Logansville.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

D. M. MORRIS, *J. P.*

We, W. F. Moyer and F. G. Berry, do swear that we will, as clerks, impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given us in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to us by the inspectors thereof, and in all things truly and faithfully perform our duties respecting the same to the best of our judgments and abilities; that we are not directly or indirectly interested in any bet or wager on the result of this election; and that we will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

WM. F. MOYER,

F. G. BERRY,

*Clerks of the Election District composed
of the Borough of Logansville.*

Sworn and subscribed this 5th day of Nov., 1878, before me.

D. M. MORRIS, *J. P.*

Copy of triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the 5th day (being the first Tuesday) of November, A. D. 1878, at the school-house of Logans, in the borough of Logansville, of Clinton County, Pennsylvania, do certify that upon closing the polls and counting the votes it appeared that for—

* * * * *

CONGRESS.

A. G. Curtin had sixty-four (64) votes.

S. H. Yocum had thirty-three (33) votes.

* * * * *

In testimony whereof we, the inspectors and judge of the election aforesaid, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

(Signed triplicates.)

W. R. GOODMAN, [SEAL.]

H. B. KARSTETTER, [SEAL.]

Inspectors.

HENRY STEM, *Judge.* [SEAL.]

Attest:

WM. F. MOYER,

F. G. BERRY, *Clerks.*

EXHIBIT 25.

Registry of the qualified voters residing within the Beech Creek Township, election district of Clinton County, Pennsylvania.

Allison, E. D.	Greater, Robert	Mapes, James
Bittner, Christian	Gummo, John	Miller, Samuel
Bittner, George S.	Gensil, John	Miller, Matthew
Bittner, Wm. F.	Greham, Kirk	Miller, William
Bittner, John	Heagen, George	Miller, Jos.
Bittner, Joseph	Heagen, Saul	Miller, John A.
Bittner, Neathan	Heagen, Alexander	Miller, Lewis
Bittner, George H.	Heagen, John, sr.	Miller, Nelson
Bready, Joseph	Heagen, William	Miller, G. F.
Berry, John	Heagen, Neathen	Miller, Jno. B.
Bittner, Hary	Heagen, John, jr.	Miller, David
Boaz, Joseph	Hoover, Hiram	Miller, Robert
Bridgens, William	Hubbard, Joseph	Miller, Carpenter
Betts, Samuel	Hoffman, Peter	Miller, Carpenter, sr.
Bowman, Joel	Hicks, Reese	Miller, Samuel
Cottle, Albert	Hall, Samuel	Miller, Levi
Cottle, Leslie	Hall, Allison	Miller, John
Counsil, Martin	Harleman, James	Miller, Orvis
Clark, Samuel	Hurr, John	Miller, Rotherick
Campbell, Samuel	Himer, Charles	Martin, Silas
Cock, John	Himer, Philip	Martin, Ross
Clark, Benjamin	Johnson, Neathan	Martin, William
Crispin, Thomas	Johnson, Jos. H.	Martin, David
Crispen, Erwin	Johuson, Jno. A.	Marsden, John
Confer, Thomas	Jones, Charles	Metsgar, James
Develing, Nelson	Jerome, Franklin	More, James
Develing, Wilson	Kitchen, Weria	Myers, L. M.
Duffield, J. C.	Kitchen, William	Myers, John
David, James	Kline, E. N.	Myers, David
David, Flavius	Knarr, Solomon.	McCloskey, Abner
David, Preston	Linn, James, sen.	McCloskey, Irra
Dickey, Adam	Linn, Chahan	McCloskey, Campbell
Dumas, John	Linn, James, jr.	McCloskey, William
Dehass, Alexander	Linn, Milles	Myers, Robert
Dehass, Forest	Linn, Thomas	Myers, J. B.
Dehass, James	Linn, Britton	Magee, William
Dehass, Gideon	Lewellen, Jno., jr.	Miller, Michel
Earon, John, sr.	Lingle, George	Mann, William
Earon, John, jr.	Lucas, George	McKissie, William
Eyer, William	Lucas, Rolland	Packer, Marshal
Eyer, David	Leer, John	Packer, Charles
Eugals, Jeremiah	Marsden, James, sr.	Peters, Casper
Everly, Joseph	Marsden, James, jr.	Quay, James R.
Fearon, Wm. H.	Marsden, Joseph	Quay, Charles
Fearon, John T.	Mantle, Frederick	Quay, Joseph
Falls, James	Mantle, Hope	Quigley, James
Furl, Thomas	Muthler, Joseph	Rupart, Bernard
Fearon, Frank	Muthler, Frederick	Rupart, Franklin
Fearon, H. H.	Mapes, Edward	Rupart, Bernard jr.
Glossinger, Jacob	Mapes, David	Rupart, Leevi
Glossinger, Frederic	Mapes, John	Rupart, Theodore

Rhine, William	Strike, John	Whitefield, William
Rupal, George	Shearer, David	Welsh, William
Rodebaugh, Joseph	Smith, Charles	Wait, William
Romma, John	Starn, John	Williams, George
Reed, John	Skilman, Thomas	Wilson, William J.
Rone, James	Swarts, Henry	Wilson, John
Reeder, Andrew	Scanlin, Edward	Williams, E. D.
Robb, Frederick	Sheffer, George	Winslow, Charles
Stone, William	Strawcutter, George	Wagner, Ruben
Stager, Michael	Sheffer, A. J.	Williams, John
Shearer, James	Swartz, M. J.	Williams, William
Smith, John	Whitefield, Joseph	Youtis, John

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry-list of voters for the election district of Beech Creek Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the office of the commissioners of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry-list of Pine Creek election district, 1878.

Ayres, Joseph	Chubb, Jos.	Fisher, R. C.
Aungst, John	Chubb, Daniel	Farringer, Charles
Andrews, Michael	Chamberlain, Jesse	Frederick, Morris
Adams, John	Crider, John	Gundlach, Philip, sr.
Bennett, J. A.	Condon, Thos. P.	Gundlach, Philip, jr.
Beaver, Frederick, sr.	Crawford, Geo., jr.	Geise, Samuel
Beaver, Frederick	Coppes, Mark	Geise, Hilary
Britton, Wm.	Clark, Thomas	Geise, Geo., M. D.
Betts, Wm.	Cramer, Elias	Geise, Jacob R.
Betts, George	Carson, Lewis	Geise, John R.
Busler, John	Daugherty, A. J.	Gallaher, J. R.
Bliler, Simon	Dutt, Frederick	Garman, George
Brobst, Jos. F.	Dutt, Daniel F.	Guyer, James
Bailey, Samuel T.	Dutt, Michael	Gottschall, Wm.
Bilbee, Wm.	Davidson, Wm.	Gaylor, John
Brown, Wm.	Danley, Wm. C.	Hoffman, Solomon
Barto, John	Emory, Jacob	Hoffman, M. L.
Bilbee, Edward	Emory, H. J.	Hoffman, Adam
Bierly, Adam	Emory, George	Heck, Jacob
Beiser, Michael	Eichaelberger, Daniel	Heck, Daniel
Bilbee, John	Earon, Adam	Hamilton, John
Crist, George	Earon, Henry	Hamilton, Isaac
Crist, John	Farley, Geo.	Hamilton, Alex.
Crist, Wesley I.	Farley, Henry	Hamilton, Alex. K.
Crist, Robert	Farley, Jos.	Hamilton, W. J. J.
Crist, Henry	Fry, Lyms	Homler, Jos.
Crist, David V.	Fry, Henry	Hill, John
Chubb, John	Fry, George	Hoover, John
Chubb, Wm.	Ferguson, Matthew	Hoover, Wm.
Chubb, Jos., sr.	Fisher, Charles	Heck, Christian

Heck, David
 Hoover, Andrew
 Harmon, Emanuel
 Huring, S. C., sr.
 Huling, S. C., jr.
 Huling, John
 Henry, W. James
 Henry, R. J.
 Hubbard, James
 Hesser, Wm. C.
 Hartman, John
 Huling, Franklin
 Harris, Franklin
 Harris, Willard
 Isner, Jacob
 Johnson, Andrew
 Johnson, Harmon
 Keller, Jacob, jr.
 Kissel, A. C.
 Kissel, Isaac
 Kissel, C. B.
 Kissel, Samuel E.
 Kissel, Millard F.
 Kissel, Alexander
 Kissel, James
 Kissel, James
 Kline, Jacob, sr.
 Kline, Daniel
 Kline, Jacob A.
 Kline, Beneville
 Kline, Wm. H.
 Kline, Jacob E.
 Kline, James B.
 Kieffer, Conrad
 Kriner, R. C.
 Kurtz, John
 Kabel, Franklin
 Lehman, George
 Lehman, William H.
 Lehman, David
 Lehman, Thomas
 Landers, John
 Lanks, Franklin
 Laubach, Henry C.
 Myers, Henry C.
 Myers, Jos. S.
 Myers, Geo. L.
 Myers, Jos. K.
 Myers, James. R.
 Marks, Everhart
 Marks, Peter
 Marks, Charles
 Miller, John A.

Miller, Robert
 Miller, Benjamin C.
 McKinney, James H.
 McKinney, John
 McKinney, J. H.
 McKinney, John T.
 Martin, Joseph
 Martin, Alexander
 McGuire, James P.
 McGuire, Joseph, Jr.
 McKay, William
 Martin, James
 Nichol, James, sr.
 Nichol, James, jr.
 Nichol, John
 Ohl, Michael
 Ohl, Henry
 Oakes, William
 Offord, Sydney
 Phillips, John
 Phillips, Edward
 Phillips, James
 Paterson, Robert
 Pfouts, John G.
 Rich, John F.
 Rich, M. B.
 Rich, John
 Rowe, Adam
 Rowe, Wm. N.
 Rowe, John
 Rowe, Wm. D.
 Rogers, Matthew
 Rayhorm, John
 Rayhorn, Frederick, jr.
 Rayhorn, Frederick, sr.
 Reitzel, Christian
 Ramm, Theo. W. C.
 Ramm, Geo. J. F.
 Riggle, Jacob
 Rice, William
 Spong, John, sr.
 Spong, James
 Spong, Samuel
 Spong, John
 Shaffer, Solomon
 Slasinger, Wm., sr.
 Slasinger, Wm., jr.
 Sands, Jacob, sr.
 Sands, Reuben
 Sands, Aaron
 Sands, Jacob, jr.
 Shaw, Thomas
 Shaw, R. A.

Shaw, James G.
 Shaw, Geo. C.
 Shaw, Hugh
 Shaw, Charles
 Shaw, R. M.
 Shaw, William
 Simmons, J. S.
 Simmons, Thomas
 Simcox, John
 Simcox, Samuel
 Simcox, Matthew
 Sinouser, Adam
 Smith, Geo. C.
 Smith, Robert
 Strasser, Frederick
 Specht, Conrad
 Stephan, Wm.
 Stephan, Lewis
 Stevenson, Alexander
 Stevenson, William
 Stevenson, Robert
 Scout, James
 Shadle, David
 Schneider, Lewis
 Sours, Robert
 Shiley, Henry
 Schwab, J. F.
 Stout, L. P.
 Staver, R. B.
 Spotts, Charles
 Thomas, Samuel
 Thomas, Allison
 Trine, Eli
 Thomas, Nelson
 Wolf, Thomas M.
 Waters, William
 Wenrick, Andrew
 Wehr, Solomon
 Waters, John P.
 Williamson, Henry
 Warner, Frederick
 Wentz, Edward
 Wentzel, William
 Williamson, John
 Wollerton, Wm. H.
 Wolf, William
 Wolf, Jacob E.
 Wenrick, William
 Young, John
 Yearick, John
 Yearick, Wm.
 Yearick, Thomas
 Yahn, Peter

STATE OF PENNSYLVANIA,

Clinton County, ss :

I do hereby certify that the foregoing is a true copy of the registry

list of voters of Pine Creek Township election district for the year 1878 (in Clinton County and State aforesaid).

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to Commissioners.

Registry of the qualified voters residing within the election district of Pine Creek Township, Clinton County, Pennsylvania, 1878.

Armstrong, G. W.	Kepler, Abraham	Smith, James
Armstrong, Robert	Kepler, Lafayettee	Stewart, John M.
Armstrong, Thomas	Kepler, Robert	Smith, Archable
Bailey, John S.	Kepler, Edward	Stewart, A. P.
Bittner, D. S.	Kline, Charles	Sunderland, Joseph
Blake, Patrick	Kepler, John	Stringfellow, John
Bowman, Harry	Kepler, Miles E.	Swartwood, Jarome
Burge, John	Kepler, Isaac	Stout, W. M.
Caldwell, A. B.	Kepler, John E.	Smith, Elmar
Connor, Luke	Kepler, Jacob B.	Smith, Jacob
Campbell, John	Kelley, Samuel	Smith, Augustus N.
Drake, Anthony	Kepler, Henry E.	Smith, R. H.
Drake, G. W.	Knepley, Samuel	Stewart, Robert
Dailey, Daniel	Knepley, R. H.	Smith, Saul
Dennison, John	Kline, Jessie	Swartwood, Amos
Dennison, Andrew	McCloskey, M. M.	Stewart, James
Fleckenstine, Joseph	McClosky, Abner	Swartwood, Isiah
Grace, James	Mulquin, Petter	Smith, Frank
Golicker, Calvin	Myres, Isaac	Shafer, Joseph E.
Hollingsworth, Hiram	McCloskey, W. T.	Tripp, Liconia
Hines, Patrick	McDonald, A. R.	Ulrick, Charles
Hall, Evert	McSherry, James	Vandaniker, Joseph
Huff, John	Noyes, C. R.	Werts, D. B.
Hunt, W. H.	Noyes, A. C.	Werts, John F.
Herman, Cornalous	Nelson, David	Werts, W. C.
Hulling, Ellis	Pfoutz, D. R.	Walton, Thomas
Hulling, Samuel	Roney, John	Werts, Thompson
Hawthorne, George	Robbins, John	Werts, Samuel
Hunt, C. P.	Riddles, Richard	Witchey, Samuel
Isinhower, Jerry	Robbins, James	Walton, Frankling
Kepler, W. C.	Saltzman, John B.	Walton, John
Kepler, W. M.	Smith, John	Werts, John F.
Kepler, Ellis	Smith, Daniel	Werts, Samuel M.
Kepler, Jacob H.	Shaffer, D. W.	Willet, William

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of the election district of Noyes Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry list of Logansville election district, 1878.

Achenbach, Geo. A.	Heller, John A.	Moyer, Jon.
Adams, Jesse M.	Heller, John	Moyer, W. F.
Bowersox, Jonathan	Heller, Emanuel	Moyer, C. O.
Breon, Geo. C.	Herlacher, J. J.	Ohl, W. H.
Berry, Jas. F.	Hockman, H. J.	Parker, Chas.
Bower, A. H.	Huber, Emanuel	Parker, Thos. T.
Barner, Harman	Houtz, J. A.	Parker, Scott W.
Beirly, Israel	Herlacher, C. F.	Reighard, J. W.
Berry, John	Huber, Sylvester	Rishel, P. P.
Bindham, Wade	Karstetter, Joel	Reighard, Geo. P.
Berry, Francis G.	Karstetter, Daniel	Reighard, D. W.
Bartges, A. L.	Kasstetter, Michael	Rockey, Lewis F.
Brumgard, A. W.	Kleckner, Geo.	Stamm, Samuel
Brumgard, D. M.	Karstetter, Henry	Smith, William
Conser, Levi	Kleckner Jos.	Snyder, Jon.
Conser, C. W.	Karstetter, R. H.	Shively, Geo. W.
Cole, Jas. L.	Kleckner, P. D.	Smith, I. C.
Cole, H. T.	Karstetter, Isaway	Smith, Geo.
Confer, Wm. F.	Karstetter, Scott W.	Smith, Jac. C.
Conser, W. F.	Karstetter, H. B.	Stamm, H.
Decker, Wm.	Kister, Joe	Snyder, Samuel
Dow, Edson	Kister, E. H.	Tibbins, George
Engle, John	Kister, B. F.	Wren, Henry
Fetterhoof, Michael	Kline, D. P.	Wise, Jno. E.
Fiddler, Jerry	Ludwig, Samuel	Wirth, Henry
Goodman, Geo.	Ludwig, John	Wohlfort, Samuel
Garsting, John	Ludwig, David	Wirth, Geo.
Goodman, W. R. *	Morris, D. M.	Weaver, W. H.
Goodman, Sam'l	Murray, H. L.	Yeager, Geo. B.
Goodman, Jos. C.	Morris, John	Zellers, Elias
Huber, Adam		

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of the election district of Logansville Borough, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county, the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to Commissioners.

EXHIBIT 26.

Registry of the qualified voters residing within the Chapman election district of Clinton County Pa., 1878.

1 Antis, Phillip	3 Bridgens, Rob't
2 Antis Frederick	4 Burney, Wm.
3 Antis, Ira C.	5 Burney, Wm., jr.
4 Antis, Horrace	16 Burnley, C. W.
Asure, Georg	17 Brady, Jno.
1 Burney, N. H.	18 Bradney, G. W.
2 Burney, John	19 Bradney, Jos.

- | | |
|----------------------|-----------------------|
| 20 Bradney, Wm. | 12 Hevner, Christ. |
| 21 Baily, J. H. | Hill, Melvin |
| 1 Barner, Wm. | 1 Jones, Jno. |
| 2 Barney, Henry | 2 Johnson, Thue |
| 3 Baily, Jos. | 3 Jones, Jerry |
| 4 Bridgens, Jno. | 1 Koler, E. G. |
| 5 Bridgens, T. J. | 2 Kitchen, Chas. |
| 6 Burket, John | 3 Kenz, Jno. |
| 7 Baker, William | 4 Kemmery, Wm. |
| Baker, Jackson | 5 Kough, Wm. |
| 6 Burney, Jas. | 6 Koller, Wm. F. |
| 7 Briggs, F. C. | 7 Klair, Jos. |
| 8 Beidler, Abraham | 1 Loudenburg, Anthony |
| 9 Barry, Jas. | 2 Long, J. W. |
| 10 Bradney, M. | 3 Lunger, Wm. |
| 11 Bradney, Leonard | 1 Mead, Elmer |
| 12 Black, T. J. | 2 McElwee, Wm. |
| 13 Beach, Oran | 3 McElwee, Garry |
| 14 Brady, Edward | 4 McElwee, Jas. |
| 15 Burs, Oran | 5 Mussleman, H. |
| 1 Cleveland, Wm. | 6 McCloskey, N. C. |
| 2 Coffee, Jas. | 7 Moore, W. C. |
| 3 Crawford, J. W. | 8 McCloskey, Felix |
| 4 Condon, R. S. | 9 McCloskey, J. A. |
| 5 Craggs, R. L. | 10 McCloskey, Beering |
| 1 Dougherty, Jas. | 11 McNaughton, L. A. |
| 2 Dressor, Warren | 12 McNaughton, J. P. |
| 1 English, H. | 13 Mummah, S. S. |
| 2 English, Isaiah | 14 Mayers, M. |
| 3 English, L. | 15 Mitchell, G. W. |
| 1 Fairbrother, T. C. | 16 Mayers, Norris |
| 2 Folsom, A. R. | 17 Mayers, Jas. |
| 3 Farwell, L. | 18 Mayers, Barber |
| 4 Farwell, N. | 19 McClosky, A. C. |
| 5 Farwell, K. J. | 20 Mackes, David |
| 6 Farwell, A. | 21 Melick, Nelson |
| 7 Floyd, H. H. | 22 McElhaney, Sam'l |
| 8 Fleck, Lyman | 23 McElhaney, Jno. |
| 9 Farwell, A. C. | 24 Manger, G. W. |
| Freidly, Hary | 25 McGill, Willson] |
| 1 Grugan, Wm. | 26 Miller, R. H. |
| 2 Grugan, A. E. | McKabe, Andrew N. |
| 3 Grugan, C. | 1 Nowel, E. B. |
| 4 Goodman, Jacob | 2 Nolan, James H. |
| 5 Gundy, Wm. | 1 Osborn, Wm. S. |
| 1 Heverly, Benjamin | 2 O'Marra, Jno. |
| 2 Hevner, Jno. | 1 Pluff, David |
| 3 Hevner, Wm. | 2 Pluff, Henry |
| 4 Haynes, H. G. | 3 Pluff, Jacob |
| 5 Hevner, Reese | 4 Pluff, John |
| 6 Hebler, Wm. | 5 Pluff, Wm. |
| 7 Hammersley, J. P. | 6 Pluff, Michael |
| 8 Hamer, H. G. | 7 Pluff, J. C. |
| 9 Hanna, M. Q. | 8 Prebble, J. W. |
| 10 Hoke, Cornelius | Putnam, Derriit |
| 11 Hevner, Isaiah | 1 Quigley, M. |

2 Quigley, A. J.
 3 Quigley, John
 1 Riggle, Sam'l
 2 Riggle, Dan'l
 3 Reed, Jno. M.
 4 Rémer, G. W.
 5 Richard David
 1 Summerson, Jas.
 2 Stone, Jerry
 3 Sykes, Wm.
 4 Stoner, H. C.
 5 Summerson, R. B.
 6 Summerson, J. A.
 7 Sykes, Sylvester
 8 Sykes, Frank
 9 Stout, J. C.
 10 Stout, James
 11 Sockman, Jno.
 12 Stiner, Jno.

13 Stiner, Jacob
 14 Stiner, Harry
 15 Stiner, George
 16 Slifer, F.
 17 Steward, Edward
 18 Summerson, Warren
 1 Toner, David
 1 Undercoffer, Henry
 1 Vincent, R. W.
 2 Vincent, Jno. L.
 1 Welsh, Jno. Q.
 2 Welsh, C. C.
 3 Williamson, J. A.
 4 Wagoner, Peter
 5 Walton, Jno. H.
 6 Wilson, Jacob
 7 Whitman, John
 1 Yocham, Wm.

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters for the election district of Chapman Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry-list of Crawford election district, 1878.

Allen, H. I.	Fravel, Joseph	Lawbach, Peter
Ammons, Wesley	Fahringer, Jacob	" Charles
Bowers, Charles	Fravel, J. W.	" Franklin
Bowers, Jacob	Fenstermaker, Geo.	Lehman, John
Brown Goerge W.	Getgen Jacob	Lehman, Al.
Brosious George	Getgen, John	Lawbach, William
Bixel, Jacob	Gheen, Thomas	Lawbach, Emuel
Bowers, John	Gheen, Jessie	Metzgar, John
Curts, Samuel	Gheen, Wm. F.	Mills, George
Chatham, James	Gheen, Geo. M.	Motter, Sam'l
Chatham, A. C.	Group, Tillman	McKeag, Wm.
Casper, James	Group, J. W.	Miller, Daniel
Dunlop, Sam'l	Gheen, Jesse C. V.	Moore, Obediah
Dunlop, Geo. M.	Garet, William	Miller, John
Dentz, Fredrick	Irwin, Peter G.	Maffett, John
Eyer, Sam'l	Irwin, Wm. H.	Overdorf, Sam'l
Eyer, Wm.	Irwin, Henry	Overdorf, Jacob
Eyer, J. B.	Irwin, Miles	Overdorf, Pharas
Eyer, David	Keiler, Charles	Piersen, Joseph
Eyer, Isaac M.	Keiler, Miles	Phlegar, Wm.
Frantz, Henry	Karstetter, Israel	Phlegar, Thomas
Frantz, Wm.	Knauff, Daniel	Painter, A.
Frantz, Jacob	Lawbach, Ed.	Packer, James

Pierson, John H.	Sallada, F. T.	Thomas, William
Ranch Tillman	Showers, Jesse	Umstead, Jacob
Ranch G. W.	Showers, H. H.	Umstead, Howr
Ranch, T. J.	" Henry	Weidler Chris.
Ranch, Peter	" Harvey	" Houston
Robbins, Isaac	" M. F.	" Oliver
" Emanuel	Sweeley, John	Wansel, Sam'l
" J. P.	Swever, Cyrus	" Joseph
Rockey, W. B.	Stine, Dana	Welshans, Joseph
Sheadle, Daniel	Stine, Pete	" William
Sheadle, J. B.	Stahl, Jacob	Williams, Joseph
Sheadle, Geo. S.	Showers, Daniel	" William
" J. W.	Smith, Nathser	Ferbe, Henry
" Michael	Showers, Philip	Shafer, Daria
" Carson	Thomas, Martin	Sheadle, William

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters for the election district of Crawford Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry list of Gallagher election district, 1878.

Angevine, Levi	Glover, David	Nowland, John
Bryan, Alfred	Gottschall, Jacob	Nangle, James
Bryan, William	Gottschall, Thomas	Nowland, James
Berger, Fredrick	Gottschall, William	Philips, Wesley
Bilby, Joseph	Gottschall, Henry	Packard, Herick
Biser, Jacob	Gottschall, Benjamin	Probst, John
Bodine, S. B.	Groff, Charles	Patterson, George
Bodine, Richard M.	Gottschall, Levi	Philops, Phirman
Blesh, Charles	Green, W. George	Patterson, George J.
Cryder, Joseph	Haller, David	Packard, Calvin
Cryder, Asher	Harber, Mathias	Relahan, John
Campbell, Robert	Helms, George R.	Roser, Martin
Campbell, Henry	Holden, Belden	Robinson, Charles
Campbell, Oliver	Henesey, James	Stevens, Amos
Conklin, Marshall	Jacoby, Nickolous	Stechenfinger, William
Cryder, Daniel	Jacoby, Jacob	Schwab, Samuel
Cryder, Tailor	Jurls, James	Stechenfinger, John
Duling, Patrick	Jacoby, Peter	Stechenfinger, Henry
Dillaplain, Henry	Lovet, George	Springer, John
Edwards, Samuel	Lovet John	Swartz, Samuel
Edwards, John	Lovet, David	Swartz, George
Elliott, Charles	Loghery, S. H.	Shoemaker, William
Fritz, Henry	Long, Edward	Underwood, Anson
Fritz, William	More, Robert	Underwood, Isac
Fox, David	Maurer, John	Weber Rudolf
Glover, Chancy M.	Myers, Charles	Zink, Jacob
Green, Marcus	More, Robert M.	Zink, Henry
Glover, Washington	More, George W.	Zesinger, Rudolf

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry-list of voters for the election district of Gallagher Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry list of Greene election district, 1878.

Arion, Christian, jr.	Clark, Wm.	Guisewite, David
Amm, Frederic	Douty, John	Guisewite, James
Allbright, Scott	Douty, Reuben	Goodman, John, sr.
Allbright, Charles	Dutwiler, Henry	Gramly, John
Bowersox, Conrad	Dress, Anthony	Gramly, Philip
Brumgard, Daniel	Dress, Emanuel	Gramly, Andrew
Barr, John	Eoute, Andrew	Gramly, F. M.
Brumgard Thomas	Esterline, Emanuel	Goodman, Ambrose
Brumgard, George	Englehart, Geo.	Goodman, Hiram
Brown, Samuel	Eckel, Aaron	Grenninger, Adam
Beck, Jonathan	Engle, Jacob	Grenninger, William
Barner, Daniel	Eisenhower, Daniel	Guisewite, Jonathan
Barner, Jacob	Embich, Joseph	Gyer, Augustus
Barner, George	Emert, John	Harboch, C. C.
Barner, John	Embich, Daniel	Harmon, William
Barner, J. D.	Emert, Daniel	Hall, James
Beck, Franklin	Eisenhower, Samuel	Harmon, Jacob
Beck, John F.	Earon, Jacob	Heckman, D. K.
Barner, Jared	Earon, Christian, sr.	Harmon, J. K.
Bailey, Thomas	Emert, Thomas	Hopple, George
Bucher, Jacob	Emert, Jacob	Hess, Samuel
Bixler, Henry	Earon, John W.	Hotman, Frederic
Boone, J. L.	Esterline, John	Huber, Henry
Bechtol, Daniel	Esterline, Samuel	Heckman, Iswa
Bechtol, Samuel	Engle, Daniel	Heckman, J. K.
Bower, Jonathan	Embich, Henry	Jameson, William
Brumgard, William	Embich, Aaron	Jameson, William, jr.
Brumgard, Martin	Eckel, J. L.	Jones, Divine
Boyer, Joseph	Felter, John	Jameson, Andrew
Brumgard, Cornelius	Frankenberger, Saml.	Knepp, Isaac
Beck, H. L.	Frank, Jorias	Kreamer, Elias
Biely, Isaih	Frank, Amos	Keister, Lawrence
Bruner, Charles	Frank, Jacob	Keister, M. J.
Brumgard, Joseph	Frank, W. F.	Knauf, William
Bower, Jacob	Frank, Harvey	Karstetter, Scott
Bartholomew, Isaac	Fidler, John H.	Knarr, Andrew
Buck, F. W.	Fidler, John, sr.	Knarr, John
Confer, Daniel	Gramly, Peter	Knarr, Solomon
Clark, M. H.	Grape, Lucius	Karchner, Geo.
Critz, John H.	Gettig, Aaron Z.	Keashner, Michael, jr.
Critz, Adam	Garnetty, Thomas	Karchner, Philip
Confer, Jonathan	Gramly, Daniel	Kearstetter, Cornelius
Confer, Eli	Gramly, W. L.	Knawal, Calvin

Kreamer, Noah	Raudabach, Jos.	Shrack, Nathaniel
Keashner, Wm., jr.	Renninger, Henry	Sholl, Sam'l
Labmon, Samuel	Raudabach, Emanuel	Shroyer, Jonathan
Lupold, Wm.	Rhine, Wm.	Troutner, Daniel
Lupold, Solomon	Shroyer, Adam	Thorpe, Robert
Lamy, Christian	Shroyer, Emanuel	Trett, Richard H.
Lamy, Noah	Shroyer, Daniel	Troutner, Geo.
Lebo, Johnathan	Shroyer, Aaron	Trump, Samuel
Lamy, Philip	Shroyer, David	Tyson, Jacob, sen.
Lockcuff, Geo	Shroyer, Geo., sr.	Tyson, Jacob, jr.
Lamy, Daniel	Swenk, Sharon	Thomas, John
Lynch, Geo.	Snyder, Joseph	Washburn, John
Lyttle, Chas. H.	Stork, Wm.	Womeldorf, John, jr.
Mark, Jacob	Stork, Frederic	Winn, Thomas
Miller, David	Stork, Chas. H.	Winn, Lucuis
Miller, Alfred	Sheats, Jacob	Walker, Je. E.
Moyer, Alfred	Sheats, Samuel	Wirth, John
Martz, Henry	Snook, Harvey	Wirth, Philip
Moyer, Jacob	Smith, J. H.	Wagner, Geo.
Matter, J. H.	Stamm, David L.	Weaver, Wm.
Matter, Jesse	Shrack, John B.	Webb, Wilson
Matter, Adam	Shrack, John R.	Womeldorf, Frederic
Mark, Adam	Shrack, David	Womeldorf, Alexander
Matter, Adam, sr.	Sthrohecker, J. C.	Womeldorf, John S.
Moyer, Lewis	Shroyer, Geo., jr.	Womeldorf, Samuel
Miller, H. K.	Schroeder, Julius	Womeldorf, Peter
Mark Daniel	Schroeder, Albert	Wise, John
Miller, Joseph	Swenk, B. N.	Wise, Henry H.
Mizner, John	Swenk, Edgar	Weaver, Thomas
Nearhood, B. F.	Shrack, J. G.	Wolf, Daniel
Nearhood, Abel	Swenk, H. M.	Wolf, Wm.
Ohmeis, Johnathan	Snook, John	Wolf, Eli
Purman, J. K.	Snook, Lewis	Wolf, Henry
Price, John	Snook, Jared	Wise, Henry, sr.
Price, Samuel	Snook, Thomas	Wirth, Emanuel
Royer, F. V.	Snook, Geo.	Zimmerman, Jerome
Rumberger, Isaac	Snook, Jos. W.	Zimmerman, Barnhardt
Riter, Harmon	Snook, Joseph, sr.	Zellers, John S.
Righter, Grant	Shrack, Jesse S.	Zubler, David
Rockey, J. F.	Sager, John	Zellers, Pierce F.
Reminger, David	Shrack, Wm. W.	Zeigler, Amos
Rowe, J. H.		
Grape, Reuben	Jacob Reniger	Hall, Ellick
Miller, Samuel F.	Hoffmeister, Henry	Nevel, Joseph
Goodman, John, jr.	Douty, Peter	Bechtol, Melcher
Kister, Daniel	Klobe, Hermon	Price, William
W. F. Gramly	Rhine, Lewis	

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify the foregoing to be a true copy of the registry list of voters for the election district of Greene Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the

seal of the commissioners' office of said county the 24th day of March,
A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

EXHIBIT 27.

Registry of the qualified voters residing within the election district of Castanae Township, Clinton County, Pennsylvania, 1878.

Ames, James	Hamberger, Charles J.	Poorman, Joseph, jr.
Antis, John	Henry, Hartman	Quiggle, Jacob
Ammerman, John	Hevner, G. W.	Reese, John
Byerly, John	Hawk, Moses	Reese, Frank
Bonsell, John	Hineman, John	Roberts, Henry
Bradley, John	Holler, David	Shimmel, Augustus
Bessinger, John	Hanna, H. B.	Smith, O. B.
Blest, Jacob	Ingram, John	Smith, Edward
Brown, W. S.	Ingram, George	Straub, Somerfield
Curns, George	Johnson, Durell	Straub, M. F.
Cox, William	Knights, Jacob	Straub, William
Crotzer, James	Kinley, James	Seyler, Joseph
Crotzer, William	Kelly, James	Shaffe, George
Cos, Benjamin	Marshall, John	Shaffer, John
Curns, Robert	Marks, Peter	Shade, William, sr.
Devereaux, John	Marks, Jacob	Shade, William, jr.
Fabel, Charles	Mathler, Charles	Sweely, Frank
Fabel, Peter	Myres, John	Scheid, Frederick
Furgeson, Mathew	Myres, James	Smith, Adam
Franklin, Samuel	Myres, William	Tyson, George
Hanna, Valentine	Morrow, J. N.	Tyson, John
Hanna, Miles	McGill, E. H.	Thomas, W. L.
Harvey, Richard	McGill, L. A.	Winner, Lewis
Harvey, Henry	McCloud, John	Worster, Frederick
Harvey, Nathan	Nestlerode, Louzo	Worster, George
Harvey, Joseph	Nestlerode, James	Walker, Philip
Hansner, Christian	Poorman, Joseph S.	Winters, Daniel
Huff, Franklin	Poorman, J. F.	Winters, Al.

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of the election district of Castanea Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county this 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to Commissioners.

Registry list of Dunnstable Township election district, 1878.

Adams, John	Brown, Peter	Bartholemew, Thos. F.
Adams, William	Burke, Daniel R.	Baird, David
Bartholemew, Abram	Beck, Michael	Baird, Geo. W.
Baird, Benj. H.	Blest, John	Blest, Christian

Benjamin, G. W	Getts, J. N., sr.	Miller, H. A. L.
Brown, C. B.	Getts, F. J.	Osborn, Thos.
Blest, William	Hartzel, Samuel	Proctor, R. R.
Batten, J. B.	Huff, George	Proctor, Chas.
Bower, John	Huff, John	Probst, Benj., sr.
Baird, John O.	Huff, Chas.	Quigley, R. H.
Burke, William	Henze, John	Reintzel, Philip
Crawford, John W.	Humberger, Joseph	Rader, Christian
Crider, Harrison	Henzi, Fred.	Rosenberger, Martin
Conser, George	Huff, Jacob	Reeder, John
Crawford, W. H.	Huff, Woods	Rader, Henry
Chambers, Wm.	Huff, Theodore	Randbough, B. F.
Chambers, Charls	Hamburger, Augustus	Conrad, Reader
Chambers, Lewis	Isbell, Volney	Schrack, Sam'l, sr
Crider, Thos.	Johnson, Thos.	Suter, Nicholas
Chambers, James	Joems, John	Suter, John
Deise, Andrew	Kalnbach, Jacob	Stewart, J. G.
Dorey, R. H.	Lane, Samuel	Shaffer, John
Deise, John	Long, Valentine	Stewart, Alex
Deise, William	Lengle, Henry	Smith, John T.
Deise, Geo. W.	Messerly, Samuel	Segler, Nicholas
Dreiys, Edward	Messerly, John	Seyler, Frederick
Eckert, Chas.	McCurdy, G. W.	Smith, John
Englert, Alx.	Merrill, N. M.	Suter, David
Eckert, L. T.	McAlister, A. R.	Schrack, Samuel, jr.
Ferguson, H. W.	Myers, Adam	Shaffer, H. F.
Farley, Jacob	Miller, Mathias	Smith, Wm. H.
Farley, Frank	Matzer, John J.	Stewart, R. H.
Farley, Emerson	McCloskey, David	Shaffer, M. A.
Farly, J. A.	Motton, Benjamin	Smith, James
Getts, Thomas	McFee, John	Von Gunden, Abram
Grosse, Jacob	McCloskey, O. S.	Weavery, John
Glise, Jacob	McCloskey, W. J.	Whipka, William
Getts, Jacob	Matton, John	Winters, Obadiah
Gesler, Joseph	McAlister, A W.	Weaver, Frederick
Goodman, Fred.	McCloskey, Thos.	Weise, Jacob
Gifford, William	McCloskey, H. L.	Weise, George
Grosse, Fred.	McCurdy, J. A.	Weise, Gottlieb, jr.
Glise, John	Motzer, John, jr.	Weise, Gottlieb, sr.
Getts, J. N., jr.	Myers, Albert	Weise, C. A.
Getts, George	Myers, Thos.	Wagener, Edward

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of the election district of Dunstable Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A D. 1879.

SEAL.

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry list of Wayne election district, 1878.

- | | |
|--------------------------|----------------------------|
| 1 Arskin, Aaron | 55 Hoagland, James |
| 2 Armour, Geo. | 56 Hoyt, John |
| 3 Arskin, Robert | 57 Heninger, Eli |
| 4 Ashton, Geo. | 58 Henry, A. J. |
| 5 Baily, Geo. | 59 Heaviland, Calvin |
| 6 Bixler, Christian | 60 Johnson, Robert |
| 7 Bendle, E. A. | 61 Johnson, John, sen. |
| 8 Chaplain, Joseph | 62 Johnson, Leonard |
| 9 Cupp, Thos., sr. | 63 Lucas, Wm. E. |
| 10 Carns, Montgomery | 64 Lucas, Noble |
| 11 Cachron, D. A. | 65 Kessler, Hiram T. |
| 12 Chatham, Ehud | 66 McKaigue, Joseph |
| 13 Chatham, John, sr. | 67 Miller, Peter |
| 14 Cromley, Cornelius | 68 McClune, Wm. |
| 15 Coble, John | 69 McNarny, Thos. |
| 16 Cromley, Jacob | 70 McCaigue, Thos. |
| 17 Chatham, Wm. | 71 McCaigue, Cornelius |
| 18 Chatham, John | 72 Miller, James W. |
| 19 Clendenen, Thos. | 73 Miller, David L. |
| 20 Chatham, Wilson | 74 Murduck, Donnalld |
| 21 Connel, Wm. | 75 McCaigue, John C. |
| 22 Croven, Patrick | 76 McClure, Hugh |
| 23 Coble, Samuel | 77 McClure, John |
| 24 Clark, F. M. | 78 Mitcheltree, Geo., sen. |
| 25 Clark, John F. | 79 Mitcheltree, Milliord |
| 26 Chatham, John H., jr. | 80 Miller, Lewis |
| 27 Davis, John, sr. | 81 Montgomery, James |
| 28 Davis, John, jr. | 82 McClure, Washington |
| 29 Dice, John O. | 83 Marony, Frank |
| 30 Dice, Benj. | 84 Montgomery, A. R. |
| 31 Devictor, Jacob | 85 Montgomery, Wilson R. |
| 32 Davis, James | 86 O'Donnald, James L. |
| 33 Dice, Jacob, sr. | 87 O'Donnald, Hugh E. |
| 34 Devictor, Frank | 88 Pipes, James |
| 35 Dice, Wm. W. | 89 Percey, Joseph |
| 36 Dice, Adam | 90 Piat, Anthony |
| 37 Eagan, Dennis | 91 Quiggle, Thos. |
| 38 Ement, James | 92 Quiggle, Richard, sr. |
| 39 Edgain, H. I. | 93 Quiggle, Samson N. |
| 40 Edgar, Wm. | 94 Quiggle, James C. |
| 41 Frederick, J. R. | 95 Quiggle, James W. |
| 42 Forringer, Vick | 96 Quiggle, Jacob, sr. |
| 43 Flecker, John | 97 Quiggle, R. H., jr. |
| 44 Fillman, Jacob, | 98 Quiggle, Crawford |
| 45 Fillman, J. J. | 99 Quiggle, Jacob, jr. |
| 46 Farnsworth, Lafayette | 100 Quiggle, Wm. M. |
| 47 Gallagher, Chas. S. | 101 Quiggle, M. S. |
| 48 Gotshall, Thos. | 102 Quiggle, Daniel |
| 49 Greninger, Paul | 103 Ritten, George |
| 50 Herr, John | 104 Ricker, Daniel |
| 51 Herrold, J. H. | 105 Reisdorptx, Robert |
| 52 Henry, Thos., sr. | 106 Smith, Philip |
| 53 Henry, John | 107 Smith, Geo. S. |
| 54 Hoagland, Geo. | 108 Smith, Sam. M. |

- | | |
|----------------------------|---------------------------|
| 109 Stably, Benj. | 142 Snyder, William H. |
| 110 Simcox, Joseph | 143 Snyder, Levi E. |
| 111 Simcox, E. A. | 144 Simcox, Wash. |
| 112 Stably, Henry, sr. | 145 Smith, Frank P. |
| 113 Stably, Adam S. | 146 Smith, Wm. |
| 114 Simcox, Abraham | 147 Smith, Tillman |
| Stamm, Jacob | 148 Stably, Daniel |
| 115 Simcox, Wm. | 149 Simcox, Geo. W. |
| 116 Simcox, Thomas G. | 150 Smith, James, F. |
| 117 Saur, G. | 151 Smith, Wm. M. |
| 118 Smith, Michael | 152 Sees, Jacob |
| 119 Snyder, Sam. | 153 Simcox, G. C., jr. |
| 120 Shower, Jacob S. | 154 Staver, Cyrus |
| 121 Simcox, Geo., sr. | 155 Simcox, James A., jr. |
| 122 Strager, John A. | 156 Thorp, Samuel |
| 123 Strager, Aaron | 157 Throne, Michael |
| 124 Simcox, Nathan. | 158 Trout, Daniel |
| 125 Simcox, John | 159 Tanner, Thomas J. |
| 126 Shaffer, Jesse | 160 Taylor, John |
| 127 Stably, Jacob, sr. | 161 Twitmeyer, G. W. |
| 128 Snyder, Miles M. | 162 Tanner, B. F. |
| 129 Strayer, John | 163 Throne, J. R. |
| 130 Stably, Henry, jr. | 164 Winchester, Edwin |
| 131 Snyder, Henry, jr. | 165 Wilson, George |
| 132 Simcox, James A. sr. | 166 Wilson, Geary (w) |
| 133 Shurr, M. H. | 167 Williams, R. H. |
| 134 Stably, Jacob, jr. | 168 Walker, Johnason |
| 135 Shortledge, Thos., jr. | 169 Wilson, Samuel |
| 136 Sullivan, James, jr. | 170 Wilson, John |
| 137 Strong, John | 171 Welsh, John |
| 138 Strong, Robert | 172 Williams, T. J. |
| 139 Strong, Isaac | 173 Winchester, Harry |
| 140 Snyder, John, jr. | 174 Young, George |
| 141 Snyder, Samuel, jr. | 175 Young, John |

Additional assessment made prior September 5, 1878.

- | | |
|----------------------|---------------------|
| 1 Antes, Jacob B. | 12 Thorp, Robert |
| 2 Clendenen, Nelson | 13 Simcox, Jacob Q. |
| 3 Edgar, Frank | 14 Willson, Lewis |
| 4 Henry, Harry H. | 15 Quiggle, R. C. |
| 5 Longnecker, Reuben | 16 Kisler, Daniel |
| 6 Johnson, Wm. | 17 Thorne, Nathan |
| 7 Dice, James M. | 18 Worner, Jerome |
| 8 Miller, Reuben | 19 Mitchel, John |
| 9 Mackeye, Robert | 20 George W. Thorp |
| 10 McNary James | 21 John Purday. |
| 11 Quiggle, R. F. | |

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of the election district of Wayne Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the

seal of the commissioners' office of said county the 24th day of March,
A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Allabach, Frank
Andrews, Abraham
Allen, W. L.
Bickford, Frank
Bickford, S. M.
Bolinger, A. W.
Bolinger, H. S.
Bickford, J. A.
Blesh, John E.
Barrett, Tobias
Bennett, William
Brown, George
Burrell, W. P.
Batchelet, John
Bentz, J. A.
Batchelet, Jacob
Batchelet, George
Brock, Comrade
Batchelet, Fred.
Baumann, Christ
Baumann, John
Blesh, John C.
Baumann, Samuel
Baumann, Nick
Baumann, Jacob
Bishop, Jacob
Bartholomew, Henry
Boyer, John
Bentz, George
Campbell, Hugh
Cakho, Michael
Cree, David
Coffey, Dick
Coffey, L. H.
Courtney, John
Clymar, John
Cunningham, Shep.
Christie, W. W.
Christie, Thomas
Christie, T. M.
Creveling, S. A.
Cohan, George W.
Cahan, George, sr.
Dubler, John
Dubler, F.
Dubler, Peter
Davis, Edward
Dubler, Anthony
Eurser, John
Englert, J. C.
Englert, J. G.

Emery, Dick.
Englert, Frank
Ely, John
Fargus, Edward L.
Fleming, A. G.
Fargus, J. B.
Fargus, H. D.
Fryer, E. B.
Fource, C. H.
Forringer, William
Forringer, John A.
Forringer, Benjamin
Frankenfield, Ruben
Fortney, William
Grady, Dennis
Greene, Daniel
Galbraith, William
Grogg, John
Gross, Sebastian
Gross, John
Grean, John
Glossner, George
Gummo, Thomas
Gronnett, Joseph
Gummo, Wm.
Hanna, William B.
Hanna, Joseph
Hanna, W. A.
Heck, Henry
Heck, Nick
Herrington, John
Herrington, Wm.
Heck, John
Hanna, R.
Hanna, R. M.
Hanna, John S.
Hanna, H. G.
Hanna, R. W.
Heaps, Joseph
Hall, Bethuel
Herr, George
Hoover, Lewis
Johnson, W. M.
Johnson, C. D.
Jackman, Henry
Jackman, John
Jones, John
Johnson, Lewis
Krebs, Benedict
Krebs, John
Keiffer, John

Keiffer, Samuel
Keiffer, Godlib
Kuster, Jacob
King, James F.
Kinley, James
King, T. W.
King, M. M.
Litz, Andy
Laubscher, John, sr.
Laubscher, Jacob
Lambkie, Aaron
Lingle John
Laubacher, John, jr.,
Litz, A. D.
Litz, Burton
Litz, David
Lanen, John
Mahony, John
Martin, Warren
Mulchy, Daniel
McGill, James
McLain, John
McGill, Henderson
Mader, Benhard
Maurer, Abraham
McCloskey, Felix
McCloskey, A. B.
McNally, John
McClelland, Samuel
Murry, Dennis
McCloskey, W. C.
McCloskey, Isaac
Moodler, John
McCloskey, F. F.
McCloskey, W. R.
McNerney, Thomas
McGill, Joseph
McCloskey, J. C.
McCloskey, D. B.
McCloskey, I. T.
McCloskey, Russell
Myers, Theodore
McCloskey, A. E.
Myers, Daniel
Miller, John
McCloskey, Nathan
McCloskey, Hepburn
Myers, Jacob
Myers, Robert
Marr, Wm.
Nowell, C. H.

Nicholas, Lewis	Reeder, Jesse	Smith, William J.
Newberry, Richard	Reeder, John	Sayers, Irvin
O'Donnell, James	Ritzel, John	Smith, Cyrenous
O'Donnell, Thomas	Rote, Charles	Smith, James H.
Passell, John F.	Ritchie, William	Shurtleff, Orange
Probst, John	Says, James	Sullivan, James
Packer, J. A.	Shoemaker, John A.	Sullivan, Patrick
Paul, John J.	Stephens, Robert	Schleiffer, Gottlieb
Probst, John	Snow, John H.	Shaffer, Arthur
Probst, John B.	Shank, Daniel	Treziyuluy, L. A.
Probst, Abraham	Sawer, A.	Tarman, George
Probst, Fred. F.	Shadle, Daniel	Williams, Mar.
Petigree, James	Shoemaker, Jacob, sr.	Weaver, Jacob
Petigree, Morris	Shoemaker, Jacob, jr.	Witman, Rudolph
Probst, Adam	Shoemaker, William	Welsh, Richard
Probst, Benjamin S.	Shadle, Peter	Wenker, Jacob
Probst, James	Smith, A. D.	Welty, John
Probst, Benjamin	Simcox, Robert	Williams, John M.
Probst, Jacob	Suiter, Samuel	Welty, Rudolph
Probst, Samuel	Swope, John	Wenker, John
Probst, John F.	Sorger, Fred. J.	Weaver, R. R.
Probst, Samuel H.	Smith, Oliver	Weaver, Christ
Probst, Ben. F.	Smith, Robert	Weaver, Peter
Rote, T. J.	Sorger, Fred.	Witchey, William
Rebstock, George	Shoemaker, John R.	Welsh, J. Q.
Rote, Fred.	Shannon, J. B.	Welsh, R. S.
Rote, Adam	Shaffer, Pearry	Witchey, John
Ramser, Albert	Sayers, James C.	Weaver, F. M.
Reed, Samuel	Smith, Tailor	Wenker, John E.
Richey, J. R.	Smith, Samuel	Wenker, Abram, sr.
Rallahan, Timothy	Smith, George A.	Wenker, Abram, ju.
Rogers, F. H.	Showers, John	Young, Godlit
Roach, Michael		

STATE OF PENNSYLVANIA,
Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of the election district of Woodward Township, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL]

WILLIAM H. SMITH,
Clerk to the Commissioners.

Registry list of Grugan election district, 1878.

1 Ager, Alexander	9 Emry, Benjamin
2 Barton, Morris	Edmondson, Geo.
3 Bidler, Joseph	10 Fox, Standish
4 Bidler, Harry	11 Farewell, Lemuel
5 Barton, Leonard A.	Farewell, A. D.
6 Catin, J. H.	Farewell, R. E.
7 Clark, Patrick	Farewell, J. S.
8 David, Jefferson M	12 Grant, Wm.
Dodge, Harry	13 Grogan, Theor.

- | | |
|------------------------|-----------------------|
| 14 Grogan, Jacob | 41 Madden, Barney |
| 15 Grogan, John | Morse, Charles A. |
| 16 Grogan, James K. P. | McClosy, S. T. |
| 17 Grogan, John J. | 42 Nester, Michel |
| 18 Grogan, Edward | 43 O'Brien, Michael |
| 19 Grogan, Joseph M. | O'Brien, Patrick |
| 20 Gibson, Wm. P. | 44 Ritchie, L. A. |
| 21 Gardner, Wm. | 45 Rhodes, Henry |
| 22 Hevner, Henry | 46 Ritchie, Thomas |
| 23 Hevner, James | 47 Reichert, George |
| 24 Huff, Albert | 48 Rhodes, Jacob |
| 25 Hevner, Jacob | 49 Riggle, John A. |
| 26 Hevner, Edward | 50 Ritchie, Edward H. |
| Hanscom, Anson | 51 Ritchie, Jas. W. |
| 27 Johnson, W. J. | 52 Ritchie, David A. |
| 28 Johnson, James | 53 Riggle, Barbr |
| 29 Johnson, Wm. M. | 54 Sandford, Andrew |
| 30 Johnson, Frank | 55 Shady, Patrick |
| 31 Kepler, Albert W. | 56 Schofield, John H. |
| 32 Kepley, James | Lewis, Robert |
| 33 Lacy, Thomas | Sever, George |
| 34 Lanon, Patrick | 57 Wadsworth, S. A. |
| 35 Lacy, Joseph | 58 Welsh, Patrick |
| 36 Landa, Henry | 59 Weaver, Gottner J. |
| 37 Mulcahy John | 60 Weaver, W. C. |
| 38 McGhee, J. C. | 61 Wilson, William |
| 39 McGhee, Charles | Warner, E. J. |
| 40 McGhee, Samuel | |

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters of Grugan Township election district, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 24th day of March, A. D. 1879.

[SEAL.]

WILLIAM H. SMITH,
Clerk to the Commissioners.

EXHIBIT 28.

Registry of the qualified voters residing within the second ward election district of Lock Haven City, Clinton County, Pennsylvania, 1878.

Abrams, T. T.	Boyle, Dewitt	Baer, B. M.
Allabach, Isaac.	Boyle, Henry	Carson, Thomas
Amlaw, William	Brindle, Louis	Carson, William
Askey, William	Becker, Samuel	Clark, Sidney
Abrams, Scott	Becker, Paul	Cummings, Moses
Abrams, Mack	Brown, Richards	Carey, I. William
Bittner, Elie S.	Bierley, John H.	Craniger, John
Bachtold John D.	Burge, W. H.	Cooper, Lewis
Barber, Robert	Basinger, William	Compton, S. R.
Brown, J. H.	Beck, W. L.	Clawater, Scott
Basinger, Jacob	Backman, W. M.	Caldwell, Woods

Curts, Georg	Bottorf, Bengaman	Lauder, W. A.
Canfield, Dr.	Benett, James S.	Lauder, Jefferson
Curten, J. I.	Bantten, Ruben	Larimer, J. F.
Cripps, Georg W.	Bantten, Henry	Lehr, Christ
Churchhill, Charls	Bowers, Frank	Luhler, Adward
Childs, H. A.	Cummings, —	Lents, William
Curten, Wm. J.	Cornish, Wm.	Levan, James P.
Chatam, Walter	Deutsh, Joseph	McGill, Thomas F.
Collet, Georg S.	Doran, James	McGill, John B.
Croock, Michael	Dusenberry, James	Mager, Joseph
Clay, M. L.	Dubler, David	Merrill, P. S.
Cochran, David (Collet)	Dettling, Richard	Maurer, Christian
Cherry, Samuel	Dunlap, James	Morgan, J. W.
Carson, James	Daniels, Charles	Morgan, Gleason P.
Hilton, T. C.	Diefenbach, David	Martin, Robert
Harvey, J. A.	Dovencamper, Casper	Brady, William
Harris, J. G.	Dauer, Georg	Batchelor, Geo.
Hayes, J. H., Dr.	Drake William	Best, Elery
Hopkins, A. C.	David, William (Halls)	Barrett, Enoch
Honan, John	Detrick, Adam	Blesh, William
Huling, W. B.	Ely, William	Biggony, Penn Wm.
Hakley, Del.	Englert, Adam T.	Baggis, J. H.
Huber, William	Englert, Charles	Beck, John
Hanyns, John S.	Esenwein, Gottlieb	Bittner, Georg
Hopson, C. P.	Esenwein, Frank	Brandel, John
Humphries, J.	Evans, H. C.	Brandel, A.
Hoffman, Geo. E.	Elwell, F. L.	Banton, Fred.
Jones, A.	Esenwein, John	Bulb, Ascher
Jones, John C.	Evans, John G.	Bartley, J. H.
Jackobe, H. W.	Fenderich, Ignatz	Fleming, A. S. A.
Jonson, Jacob	Fletsher, R.	Farmer, James
Ilert, Georg	Fletsher, William	Faucher, E. A.
Jackson, Richard	Fox, Thomas	Franciscus, Charles
Kammerer, Charls	Fleisher, J. D.	Fields, Bill
Keller, John	Farronswerth, Anthony	Geiger, Joseph
Keller, Jacob	Farrenswerth, D.	Gibb, John
Kraus, Jacob	Fox, John G.	Gebhard, Jacob
Keller, Jacob, jr.	Farronswerth, N.	Gebhard, John
Keller, Peter	Karuns, Onn	Goldstein, Jacob
Knabb, Amos	Kahlfe'd, William	Grafius, Jacob
Keller, Henry	Kintzing, Bahnet	Grafius, Joseph
Keller, Jacob (old man)	King, W. S.	Groh, A. S.
Kamp, Jacob	Kattner, A. N.	Glock, C. Charles
Kamp, Adam	Keiner, W.	Gremager, Michael
Keating, Michael	Keiner, Gottfried	Gates, Robert
Keller, Philip	Lachat, Alexander	Holmes, J. T.
Klekner, Thomas	Lachat, Lenhart	Honsel, Robert
Brown, W. H.	Lachat, Daniel	Hindelong, Xaver
Brown, G. A.	Lachat, Frank	Howl, Herman
Brown, J. F.	Lenty, George	Hipp, Anthony
Black, J. P.	Livingstone, James	Hezel, Charls
Barker, R. S.	Livingstone, Georg	Herman, Edward
Best, Andrew	Livingstone, William	Harvey, G. C.
Beck, Peter	Lentz, Augustus	Hawley, Michael
Birkenbauer, H.	Lentz, Nikolaus	Herr, William R.
Beck, William, jr.	Lenhard, Charles	Hurtman, C. H.

Hiller, Henry
 Haberstroh, Louis
 Hawkins, William
 Holmes, Oreange
 Hopson, Herry
 Harrison, J. G.
 Maure, James
 McLem, Robert
 McLem, Robert, jr.
 McCabe, Eugene
 McCleas, W. J.
 Merrill, Augustus
 Michael, Andrew
 Melick, P. B.
 Mussina, Lyon
 Mann, Loyd
 Maue, Julius
 McGhee, R. H.
 Mann, Charls
 Meitzler, Peter
 McCormick, Müller
 Meyers, Benjamin
 Meyers, John J.
 Melick, A. B.
 Mackey, E. A.
 Maier, Israel
 Messinger, Morris
 Metzger, Bernhard
 Musgrove, C. W.
 Mason, G. W.
 McGill, L. R.
 Molson, Edward (collect)
 McKee, Charles
 Manahan, Edward A.
 Mackey, L. A.
 Morris, John
 McDonald, Georg
 McGinnes, Dr.
 Merrill, P. B.
 Mayer, Joseph
 Mayer, John
 Merrill, John C.
 Mays, John
 Mulheen, John
 McPhetas
 McNerney, T. F.
 Nuppenmacher, Henry
 Newcomer, Samuel
 Nox, James
 Newcomer, A. H.
 Ownes, James T.
 O'Corner, C. M.
 Parker, Charles
 Paul, John
 Powers, J. B.
 Probst, William

Parson, Joseph
 Parson, Charles
 Petrikin, J. D.
 Pearson, Samuel
 Peck, R. B.
 J. Pretel, jr.
 Petrikin, David R.
 Parsons, Samuel
 Reed, Frank
 Rackey, T. J.
 Rimer, P. R.
 Ruel, Joseph
 Richard, John
 Reinacher, Bassill
 Reinacher, Gottlieb
 Remmik, C. B.
 Ryon, Patrick
 Rice, Charles
 Rote, Frank
 Reidenauer, Reuben
 Reed, Thomas
 Reed, Rufus
 Rittman, Peter
 Ross, Homer
 Reed, Robert
 Reppe, Charles
 Roepper, Frank
 Rinn, Jacob
 Ryon, A. F.
 Ross, Franklin
 Richards, J. C., Dr.
 Reed, Wm.
 Stratton, John D.
 Snyder, Joseph
 Spies, Peter
 Sountheimer, Mooses
 Smith, Samuel
 Stitzman, Adam
 Schwarz, Hugo
 Schroeder, John
 Schredley, F.
 Spencer, Albert
 Smeltzer, Simon
 Schaffer, William
 Sage, William
 Schenk, Kasper
 Schaw, N.
 Schaffner, Windolin
 Schaffner, John
 Stuber, Jacob
 Sorgen, John
 Swavley, David
 Swavley, E. T.
 Schiebeley, William
 Steiner, John
 Set. Clair, A. J.

Sober, R. I. L.
 Stout, Farney
 Schoberlein, Thomas
 Sterner, Charls
 Schoemaker, Charls
 Smith, Adward
 Stein, John
 Smithers, John
 Smithers, James
 Smith, R. D.
 Sperring, C. H.
 Stevenson Joh R.
 Schuyler, L. B.
 Sloan, Albert
 Sloan, Allexander
 Sloan, Robert
 Sloan, Herre
 Sloan, Nels
 Scott, Simion
 Sleier, Henry
 Smith, Bartley
 Smith, Jacob
 Schields, Hyrum (c.)
 Scott, Jacob
 Seiter, Ansalam
 Sloan, Hayes
 Stevenson, David
 Smith, F. S. Dr.
 Sloan, W. A.
 Simion, Herman
 Simion, Viktor
 Simion, Louis
 Scheid, Levy
 Smith, Michael
 Schroeder, William
 Seltzer, W. K.
 Seltzer, Fred. I.
 Schoemaker, Joseph
 Sterner, Wlliam
 Smith Jacob
 Sneider, Edward
 Schaw, Weehler
 Smith, J. W.
 Sanderson, G. C.
 Schuyler, L. M.
 Schuyler, J., jr.
 Sage, David
 Seltzer, Eugene J.
 Snyder, James
 Towns, Miles
 Thiele, J. D.
 Ulp, Jacob
 Ulp, Georg
 Verier, Celeste
 Winner, Lewis
 Winner, Georg

Weaver, John
Wyle, Moses (collet)
Washington, Robert
Wiedhan, Charles
Walls, A. G.
Watson, R. B.
White, Percy

White, J. C.
Wesh, Georg
Walles, J. W.
Willetts, Adam
Willow, C. C.
Wallters, Clement
Whitman, Wm.

Wilson, W. B.
Youngman, J. R.
Yoachham, Georg
Zeigler, Adam
Zesinger, A.
Zindel, Jonas

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry-list of voters for the 2nd ward of Lock Haven election district, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 25th day of March, A. D. 1879.

[SEAL]

WM. H. SMITH,
Clerk to the Commissioners.

Registry-list of fourth ward Lock Haven election district, 1878.

Armstrong, George
Agar, John
Aiken, John K.
Askey, Samuel
Armstrong
Agar, Robert
Agar, Walter
Akins, Howard
Achuff, Samuel
Ackeba, Andrew
Brown, Jacob
Brown, B. F.
Barton, Robert
Brown, John C.
Brown, J. G.
Birch, Moses
Bennet, Harvey
Burnell, Henry
Beck, W. P.
Bernhart, John
Bower, William
Brutzman, Alexander
Beck, Frederick
Brownlee, Harvey
Bailey, David
Beard, Edwa
Beck, Jacob
Bentley, Frank
Beck, Jeremiah
Blint, William
Black, Michael
Brown, A. G.
Brown, Charle
Brutzman, John
Bixby, Hulbert

Buckley, John
Bogenrief, Daniel
Berlew, Howard
Berlew, D. M.
Bitner, John
Boardman, John
Basiger, William
Barber, Richard
Berbew, Thomas
Bettinger, John
Bennet, Robert
Beckford, Charle F.
Bitner, Robert R.
Bartholemy, Ira C.
Brown, John C., jun.
Brown, Louis K.
Brown, J. T.
Bisel, L. D.
Burbee, Richard
Bentz, Revern
Bently, William
Caine, Morris
Cooper, Michael
Colbert, James
Clap, Jeremiah
Cornwell, James
Carpenter, Levi
Cane, John
Chapman, H. O.
Cane, Thomas
Clark, John
Croak, Michael
Clary, Michael
Considene, John
Crider, John B.

Carroll, Simon
Cusick, Michael
Chandler, D. L.
Crowley, Bartholomy
Commens, E. M.
Considene, John
Cady, H. R.
Cummings, A. M.
Curley, Robert
Clapp, Samuel
Carroll, John
Connel, John
Cumminge, E. M.
Darrat, Levi
David, Thomas
Dewit, William
Dunkel, John
Doutry, Frank
Donovan, Peter
Dunkel, Henry
Doval, Freeman
Driskol, Patrick
Donaky, Thomas
Deis, J. B.
Deford, John
Emery, J. C.
Emery, G. A.
Emery, O. D.
Emery, E. H.
Eley, William
Edman, John
Eckert, J. B.
Edward, Harvey
Flaig, Matthew
Fikenscher, Fred.

Fox, J. J.
 Fredwood, John
 Free, Richard
 Furst, Don
 Fulton, Samuel
 Fisher, George
 Faigart, E. D.
 Fries, William
 Fueglie, William
 Gerger, Adam
 Griffon, Patrick
 Gardner, Charles
 Griffon, Patrick
 Garother, William
 Guilford, Daniel
 Getty, James
 Getty, John
 Griffon, Frank
 Gardner, Charles
 Herman, J. J.
 Harnist, Antis
 Holohan, Thomas
 Henry, Jacob
 Henry, Jacob, juni.
 Heslin, Thomas
 Howard, Michael
 Hickey, Thomas
 Heltman, Joseph
 Hays, Rogers
 Hays, William
 Heimer, John
 Heveling, William
 Hahn, Franklin
 Horan, Michael
 Heizman, Andrew
 Houts, O. S.
 Harvy, Atwood
 Holohan, Patrick
 Hamilton, W. R.
 Houts, Eley
 Heckman, Samuel
 Hurst, George
 Howard, George
 Hoy, Daniel
 Haverly, Henry
 Harink, H. M.
 Heimer, Jacob
 Heslin, Francis
 Jobson, Michael
 Jobson, Peter
 Jobson, William
 Johnson, Robert
 Jacobs, H. R.
 Jadon, Peter
 Jadon, Flabo
 Kline, George

Kelys, Thomas
 Kelly, Daniel
 Kister, Stephan
 McKune, William
 McClintic, Mortemer
 Mogachan, Christian
 Messerly, Samuel
 McCloskey, John
 Montgomery, James
 Myers, C. D.
 Monroe, James
 Mauk, E. B.
 Mollen, Thomas
 McInarny, J. E.
 Myers, Thomas P.
 Miller, J.
 Noble, O. T.
 Noble, James
 Nebury, W. G.
 O'Brin, Thomas
 O'Day, Thomas
 O'Day, John
 O'Brin, Thomas, jun.
 O'Niel, Patrick
 Paul, Joseph
 Prentible, Patrick
 Pfingstler, William
 Pepperman, John
 Pollock, E. S.
 Porter, W. D.
 Parron, Samuel
 Potter, William
 Prittet, Joseph
 Prettet, Joseph, jun.
 Pfennmige, J. R.
 Prock, Conrad
 Pillinger, John
 Quinlin, John
 Rippey, Frack W.
 Kienly, John
 Kitchen, James
 Keef, William
 Kelley, R. E.
 Kienley, Ge. W.
 Keef, William, jun'r
 Keef, John
 Kurns, Owen
 Lurch, Edward
 Lane, John
 Landon, Pat
 Lawley, John
 Lawley, James
 Loughlin, James
 Long, Charle
 Lindig, John
 Lindig, B. F.

Linch, James
 Linch, Michael
 Laffin, Edward
 Lawley, John
 Loudon, Pat, junior
 McInary, Cornelius
 Marchal, George
 McInarny, Michael
 Meskel, Matt
 McInarny, M. H.
 McInarny, Thomas
 McInarny, James
 Mags, Wesley
 Rippey, Jesse
 Ryan, Daniel
 Rote, Jacob
 Rokenbrod, Joseph
 Renahan, John
 Ruder, Jacob
 Reed, T. O.
 Rayman, John
 Robinson, George
 Roland, W. N.
 Roraback, David
 Ryan, Daniel, jun.
 Reed, J. W.
 Swope, Jacob
 Shearer, David
 Sweesy, John
 Swope, Ben.
 Swope, John B.
 Smith, Alfred
 Shaffer, Henry
 Shaffer, Isaac
 Starch, Frank
 Sykes, William
 Shay, John
 Shay, James
 Shot, William
 Smith, Hennesey
 Shenck, Frederick
 Sullivan, James
 Staub, Farus
 Smelser, Frederick
 Shell, Ruber
 Ships, Stephan
 Ships, David
 Sallsman, Robert
 McClintic, M. A.
 Marchal, George
 Marchal, Patrick
 Macrkel, Isack
 Muir, Christian
 Montgomery, A. H.
 Milintic, Samuel
 Moore, E. L.

Moore, J. R.	Santling, James	Throne, J. F.
March, Samuel	Scholey, John	Vannetto, John
M'Kibben, Robert	Shell, S. W.	Vannetta, Peter
McLoughlin, John	Sasserman, W. J.	Vannetti, L. O. G.
Michaels, G. T.	Smith, Gottlieb	Vannette, P., jun'r
Mayer, A. B.	Staub, Charles	Vannatte, Hall
McMahon, Frank	Smith, Frank	Vannetto, Samuel
Mangle, S. G.	Steivel, Jacob	Wesner, John
McClintic, John	Sade, William	Welsh, Michael
Mason, John S.	Scheid, John	Weliver, J. M.
Marchal, Smith	Stine, J. W.	Williams, John
McCane, William	Smith, Richard	Williams, J. H.
McInarny, Martin	Shof, Abraham	Wiley, Bonaventure
McInarny, P. J.	Shof, George	Walter Joseph
McBride, James	Shof, Henry	• Wedman, Jacob
Moore, John	Shof, Wilson	Whiteman, Horace
McCoskey, William	Shearer, Miles	Wagner, James
Marchal, George	Satterlee, E.	Welsh, E. H.
Marchal, George	Smithers, James E.	Wynne, John
Mosher, William	Ships, H.	Willow, G. W.
Murry, William	Smith, Herry	Willow, W. B.
Murlock, G. L.	Shrack, Henry	Walker, G. W.
Snigley, Joseph	Sullivan, Michael	Wilson, Asa
Sheffer, Ellis	Sterling, John W.	Wirly, Adam
Stevenson, J. T.	Thomas, Jacob	Workman, Jacob
Salomon, David	Toner, John	Welch, John F.
Shoemaker, Samuel	Thomas, James	Ziegler, John
Sayer, Joseph	Tenfert, John	

STATE OF PENNSYLVANIA,

Clinton County, ss :

I hereby certify that the foregoing is a true copy of the registry list of voters for election district of the 4th ward of Lock Haven, in said county and State, for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county, the 25th day of March, A. D. 1879.

[SEAL.]

WM. H. SMITH,
Clerk to the Commissioners.

EXHIBIT 29.

Auman, James	Bierley, John M.	Boone, John L.
Auman, William	Bletz, John	Best, Adam
Apple, Christian	Bletz, William	Bierly, Calvin
Albright, A. J.	Bierley, Saml.	Caris, William
Barges, Daniel	Bierley, H. Z.	Caris, Sam'l
Beck, John S.	Brown, John	Cooney, James
Beck, W. H.	Brown, William	Caris, John
Beck, Isaac	Bierly, T. M.	Cooney, Henry
Barges, James	Bresler, Michael	Culby, John
Bierley, John S. M.	Bresler, Emaniell	Culby, Isaiah
Bierley, James A.	Bierly, J. F.	Caris, James
Beck, Henry	Bierly, E. M.	Curran, E. H.
Bierley, J. E.	Bechtol, Ira P.	Condo, John P.
Bierley, Daniel	Boone, S. R.	Culbrey, Israel

Dlong, E. M.	Klepper, Benjamin	Shreckengast, Phillip
Duck, I. S.	Kesler, Petre	Shreckengast, James
Eckel, O. J.	Karn, Matias	Shreckengast, Melker
Emick, Petre	Karn, Thomas	Shreckengast, Sam'l
Emick, John	Kleckner, Robert	Shreckengast, Petre
Frantz, Isaac	Kleckner, Harvey	Shreckengast, Phillip
Frantz, Tobias	Kleckner, John	Shreckengast, Joseph
Frantz, Saml.	Kleckner, A. D.	Shreckengast, Jonathan
Frantz, W. E.	Lamey, Sam'l	Shreckengast, Emanil
Greninger, A. T.	Long, Daniel	Syler, Petre
Ginery, David	Lamey, Micheal	Stóver, Jacob
Glontz, William	Lutz, Jonathan	Spangler, S. E.
Glontz, John	Lutz, Franklin	Shaffer, George
Glontz, Sam'l	Lutz, William	Shaffer, Adam
Grimes, E. M.	Miller, George	Sheats, John
Greninger, Sam'l	Mechtley, A.	Snyder, Micheal
Glontz, Jacob	Miller, Ferdinan	Shaffer, Henry
Greninger, Simon	McLain, A. D.	Shaffer, Sam'l
Greninger, John	Miller, Adam	Snyder, J. W.
Greninger, Henry	Miller, Jesse	Stover, Jonathan
Greninger, John L	Moyer, Daniel	Stover, John
Greninger, John Lee	Moyer, Andrew	Stover, John M.
Greninger, Jesse	Miller, Isaac	Stover, David
Gift, Daniel	Miller, Franklin	Strawhecker, William
Gift, John S.	Moyer, Sam'l	Stover, Scott
Glontz, W. G.	Moyer, Reuben	Shrack, David
Greninger, Levi	Moyer, H. A.	Suchuner, Phillip
Ghreager, Charles	Miller, John H.	Shaffer, Jesse
Garret, Lewis	Miller, Joel	Shreckengast, Micheal
Greninger, Benjamin	Miller, John S.	Tyson, Benjamin
Gramley, France	McKee, Reuben	Vanada, Adam H.
Gramley, Denial	Moyer, John H.	Wiel, Abraham
Harter, William	Nicholas, John	Weaver, Thomas
Haugh, Joseph	Nicholas, William	Wolf, Phillip
Haugh, William	Overdorf, M. D.	Wiel, Harsh
Heckenstoller, Anthony	Overdorf, Joel	Weaver, Henry
Hahn, David	Overdorf, Michael	Warntz, John H.
Herb, Joseph	Overdorf, Adam	Womer, Micheal
Herb, Joel	Overdorf, Sam'l	Wolf, William
Ilgen, Sam'l	Ocker, Jacob	Wolf, Sam'l
Ilgen, John	Phillips, Petre D.	Wolf, David
Ilgen, Thomas	Rockey, M. D.	Wolf, John
Jones, John	Rockey, W. B.	Wolf, Simon
Kahl, A. N.	Rowe, John	Wolf, William
Kern, Osker	Rowe, W. B.	Wolf, Daniel
Kasteder, William	Rishel, J. P.	Wolf, Sam'l
Kasteder, Joel	Ruhl, George	Waliza, George
Kahl, W. S.	Rhine, Daniel	Waliza, Jacob
Kahl, J. A.	Rhine, Henry	Womendorf, James
Kahl, Z. A.	Rhine, John	Warntz, George
Kahl, George	Ruhl, Daniel	Weaber, John
Kahl, Jacob	Ruhl, John	Weaver, Benjamin
Kahl, John	Rishel, W. H.	White, Andrew
Kahl, Sam'l	Shreckengast, Franklin	Zeller, John
Kasteder, John	Shreckengast, A. A.	Zeller, H. L.
Kasteder, Rudolph		

STATE OF PENNSYLVANIA,
County of Clinton, ss:

I hereby certify that the foregoing is a true copy of the registry-list of voters for the election district of Logan Township in said county and State for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county, the 25th day of March, A. D. 1879.

[SEAL.]

WM. H. SMITH,
Clerk to the Commissioners.

EXHIBIT 30.

Registry list of Renovo Borough election district, 1878.

Aschom, John P.	Bowman, Jacob	Crow, James
Albright, Henry	Bill, James H.	Costello, Michael, jr.
Anderson, George	Balloit, C. M.	Considine, William
Allen, Elijah	Ball, D. H.	Carleson, Charles
Atlvater, Charles	Burk, Edward	Christie, P. M.
Artman, E. L.	Bowers, Charles J.	Carroll, Wm.
Alford, H. C.	Boyer, John J.	Considine, John
Anderson, Gustavis	Boast, Wm.	Crowley, Thomas
Adams, William	Burther, Alonzo	Conner, D. J.
Allen, John	Benton, Frank	Coady, Patrick
Burgess, George	Billow, Jeremiah S.	Cleary, Michael
Burgstresser, J. B.	Bradney, Alpheus	Costello, John
Brickard, Abram	Brown, J. W.	Costello, Michael
Baird, Wm. P.	Bellford, John M.	Clonen, Christopher
Burk, John	Bender, Thos. J.	Cross, J. F.
Beck, E. A.	Bressler, John E.	Crawford, Thos.
Brooks, G. A.	Barnhart, Joseph L.	Conway, John
Bourgeois, Constant	Bankson, Andrew	Clair, John
Bessett, Francis	Beckley, James P.	Croak, Edward
Burk, Thomas	Byers, George	Crowley, J. W.
Bruner, Florian	Beck, J. M.	Coady, Michael
Burney, Joseph	Barnett, James	Croak, Phillip
Baily, A. J.	Bailey, John S.	Clair, James P.
Blanch, Michael	Barnhart, James	Chestnutt, W. K.
Bender, Geo. H.	Bailey, James S.	Ceasman, A. W.
Burk, Richard	Brenngier, Patrick	Crawford, Isaac
Binder, Luke	Brenngier, Michael	Crawford, John
Bearwiler, Godfrey	Brown, James	Crites, John O.
Brown, John T.	Brooks, Wm. M.	Corinth, Albert
Baugh, Charles	Benage, Robert F.	Crites, Charles S.
Brown, John C.	Binacree, John	Crouse, U. S. N.
Bennett, Samuel	Baird, James	Condron, Patrick
Burney, Bodine	Bruen, G. W.	Carlson, Augustus
Bowers, John F.	Burkee	Cambell, John
Baird, Z. M. P.	Brickmar, W. F.	Costello, Frank S.
Bazzell, Geo. C.	Berry, L. M.	Carleson, Albert
Barney, O. W.	Crotty, Thos.	Crouse, Valentine
Burk, Thos. C.	Collins, John	Chesley, Humphrey
Barr, Samuel C.	Clinton, A. L.	Conrad, Wm.
Bensin, Andrew	Clark, John B.	Callahan, Dennis
Braden, Crawford	Carlson, Frank	Creigh, William

Cook, J. N.	Donaldson, Richard	Fox, George
Conner, Patrick	Dean, James D.	Fox, John H., jr.
Dowling, E. P.	Deveraux, Michael	Graw, Daniel
Dean, Matthew	Diver, John	Gardner, E. D.
Deiffenbaugh, John	Donavon, Nicholas	Given, Frank A.
Dedolfus, Edward	Derr, A. C.	Geiger, Wm.
Duger, Michael	Edmonson, Wm.	Ginter, Gideon
Doyle, Patrick	Elliott, Aaron	Graham, McCormick
Duffy, John	Emory, Z. T.	Good, Joseph H.
Duyer, William	Elliott, James J.	Givler, Jacob
Desmond, J.	Elliott, S. M.	Glenn, James D.
Dennehey, John	Evans, Alexander	Glass, Moses
Dehan, Patrick	Elliott, Charles E.	Goodwin, Thos.
Doyle, Peter	Espenshade, Joseph T.	Gist, W. B.
Duffy, Patrick	Edmonds, E. W.	Garman, Samuel
Donalson, Fred.	Elliott, Alfred	Fraley, Samuel
Conner, Charles	English, Wm.	Fields, F. B.
Carson, August	Elliott, Frank	Funk, W. S.
Chubb, Jerry	Entwhistle, Thos.	Fleck, Wm.
Conner, Michael	Evans, James	Fester, Wm.
Covert, William	Espenshade, Frederick	Fraley, Francis
Craig, James	Edmonds, Wm. M.	France, Charles
Carpenter, Henry	Egal, Charles	Fesler, G. W.
Claigberger, Charles	Elliott, James A.	Feaster, John F.
Claigberger, Wm.	Elliott, H.	Feaster, Charles
Crouse, W. B.	Fesler, G. W.	Garman, John
Deal, Jesse	Forster, W. L.	Grant, James
Durell, A. M.	Farrell, Michael	Goldsmith, L.
Daugherty, Z. T.	Flinn, Thos.	Glover, G. A.
Dean, James C.	Farrell, Thos., sr.	Goldsbury, E.
Dedier, L. F.	Fox, John H., sr.	Graham, A. B.
Dravenstath, Asa	Frazier, Wm.	Gault, F. M.
Dayton, Michael	Foy, Charles	Glah, Henry
Duly, Stever	Finn, Michael	Geary, Thomas
Deckard, J. R.	Freel, Michael	Green, J. P.
Duly, Michael	Ginter, W. H.	Grady, James
Dance, John	Glass, James R.	Gager
Dennis, Wm.	Garry, John W.	Hall, Wm. E.
Doyle, Michael	Glaw, Conard	Harvey, Frank
Clark, John, jr.	Gibbs, Charles	Hawksworth, Thos.
Creadon, Patrick	Given, N. S.	Huber, Geo. W.
Cleavland, H.	Gilshon, John	Hall, James S.
Cummings, J. J.	Glenn, Roland	Hostetter, C. R.
Connolly, John	Gorden, Samuel	Healy, John C.
Curlen, A. G.	Gillen, Wm. E.	Hand, Lawrence
Carlson, Pere	Glenn, Edward A.	Holahan, W. C.
Callahan, T.	Ginter, Wm. J.	Hitner, Fredrick
Chestnut, W. Ross	Ginter, Daniel	Hays, Daniel
Canfield, Ira D.	Felmler, Geo. H.	Hursh, Ames M
Delozier, Demetrus	Fowler, Rodger	Hartsock, Thos.
Donavan, James	Foust, Charles	Hartsock, Frank
Dixon, William	Flanigan, John	Healy, Daniel
Dixon, E. F.	Flowers, R. W.	Healy, John G.
Divers, William	Fox, Isaac	Harrigan, Michael
Dowling, Edward, sr.	Forster, Henry R.	Hogan, Charles
Dunham, Wm. R.	Fraley, David	Hoglanz, John

Hollingsworth, J. W.	Kane, John	Long, Osee
Hall, Ira C.	Kane, Patrick	Lovett, Jacob
Hulsinger, Wm.	Knox, R. W.	Leonard, John J.
Haman, Samuel	Koch, Jacob J.	Lagergreen, John
Harper, Wm. D.	Kendig, Joseph R.	Loughridge, Wm.
Humes, W. W.	Kilgus, John	Leonard John
Hall, Joseph G.	Koehler, F. X.	Lawrence, Robt. F.
Herrin, Thomas	Koehler, J. R.	Landis, J. P.
Hawksworth, F. A. D.	Kelley, Samuel	Lewis, John
Hoffman, Wm.	Kline, H. M.	Limpson, R. D.
Habgood, W. H.	Kelley, Wm.	Lovett, M.
Hogan, Edward	Knutson, Charl's	Legler, Jacob
Hogan, Daniel	Kelley, Bernard	Laudenslage, Wm. E.
Hichcock, Wm.	Karney, Peter	Murphy, James
Heller, Stanberry	Kalahan, Timothy	McCrea, C. R.
Harrass, J. H.	Keller, Henry	Martin, R. N.
Huston, James	Kepler, Henry J.	McMahan, Patrick
Hitz, G. W.	Koehler, George	Mason, I. P.
Hempell, E. A.	Karnes, John	Moore, C. T.
Hunter, James	Keperly, John H.	Minahan, John
Hitchcock, Thos.	Krider, S. P.	McCallum, Malcom
Hitchcock, S. S.	Kupp, Abram	Minehan, Cornelus
Hollester, W. G.	Knowles, Albert	Myers, Wm.
Hickman, B. B.	Kendig, David E.	McDonald, Geo.
Headstrom, Manne	Kane, David	McDonald, John
Haberstroh, Wm.	Kelley, Albert	Mulligan, T. V.
Haply, J. F.	Kortebin, Geo. W.	McCathy, Edward
Holer, G. J.	Kelley, John D.	McConnell, Edward
Hollteran, —	Karney, John	McLaughlin, Mathew
Hannah, H. G.	Koehler, Peter	McCaigue, Daniel
Hevner, Michael	Kelley, Geo. G.	McCabe, Felix
Hernandorz, Frank	Kinzer, Wm. M.	Malimore, Michael
Handry, W. C.	Karnes, Samuel	McCann, Thos.
Hunt, Thomas	Kupp, John S.	Maloney, John
Henry, Levis A.	Kohler, Wm.	Meehan, Thos.
Hapley, Alfred	Kerling, A. G.	Mulvehill, Dan
Herrin, J. A.	Koler, Chris.	Mulvehill, Cornelius
Howard, J.	Keplar, Jacob	McCarty, Patrick
Helm, C.	Kaley, John	McDermitt, Michael
Harris, J. B.	Kerber, Henry	McConnell, J. T.
Hoffman, Phillip H.	Lafferty, M. C.	Mulvehill, Peter
Hess, H. J.	Linderman, Christian	Messenger, Wm. H.
Hall, Samuel M.	Leidy, Patrick	McConnell, John A.
Hagerty, John E.	Laudigan, A. D.	McCaigue, Samuel
Irwin, Miles	Leget, Wolf	McCoy, W. W.
Irwin, Wilbert	Lynch, John	McGill, Andrew
Jorden, W. B.	Lannon, Patrick	McCloskey, Robert
Judge, James	Leisher, Barton A.	McDonald, Hiram
Jones, John	Lovett, James	McCormick, Pat
Jurgen, Seivert	Lee, George	McDermitt, C. W.
Jones, John F.	Lafferty, Wm. E.	Murphy, Martin
Jones, Henry P.	Long, David	Munson, S. G.
Jones, Wm.	Long, Christian	Martin, Silas
Jackson, Geo.	Leary, Patrick	McGill, Wm.
Jones, Richard	Layden, Thos.	McIntosh, Wm.
Johnston, Chas. E.	Lyman, James	Marks, Jacob C.

Maloney, Morrise
 Maloney, John
 Maloy, A. P.
 Maloy, Samuel
 Mitchel, A. P.
 Midelton, Henry
 Messimer, R. M.
 Moody, A. F.
 Moor, Thomas
 Montgomery, Frank
 Moyer, P. C.
 Myers, Emanuel
 McCloskey, J. M.
 McDonald, Peter
 McCarty, C. D.
 McCord, John
 McMahan, Michael
 Maloy, G. W.
 Maloy, W. H.
 Myers, Godlieb
 McCoy, Robert S.
 McMaigal, James
 McMaigal, Josiah
 McMahan, John H.
 McCurdy, Edward
 McCaigue, Isaac
 McConnell, Patrick
 Mills, James A.
 Malquist, Gustavus
 Minahan, Pat
 McDonald, John
 McNarney, Cornelius
 Myers, J. R.
 Myers, Henry
 McCumprey, Frank
 McIlhenney, W. F.
 McCain, James
 Mason, I. P.
 McMahan, John, sr.
 Mack, W. J.
 Mason, Ellia
 Maloy, W. H.
 Mills, James R.
 Mathias, Daniel
 Morset, Michael
 McGill, Wm. D.
 McCrea, Geo. R.
 McCrea, Wm. J.
 McCrea, Robert S.
 Marshall, Stanley
 Merry, James T.
 McKeel, George R.
 Morris, John M.
 McMahan, M. J.
 May, D. M.
 Mulvehill, Peter

Morris, Edward
 McManigal, Rob't
 McGill, James F.
 McCloskey, E. R.
 Moulson, Samuel
 Neylon, Thomas E
 McManigle, R.
 Mitchell, Thos.
 McCallum, Neal,
 McCarty, Henry
 McClain, Thos.
 McGill, James
 Maroony, Wm.
 Merry, Jas. L.
 Minnehan, Joh
 Michael, J. B.
 Murray, Patrick
 McNerny
 Neylon, Martin
 Micholas, Wm. H.
 Neylon, Michael T.
 Neylon, John
 Noble, John M.
 Neely, John S.
 Nicholas, B. F.
 Nicholas, J. W.
 Neylon, Thomas
 Narrie, John W.
 Nester, Wm. E.
 Neylon, James
 Nicholas, Bery
 Nagle, John
 Neely, John S.
 Neff, Chas.
 O'Hagan, Peter
 Osner, John G.
 O'Connell, Patrick
 Oster, Henry
 Olmie, Timoth
 O'Laughlin, Terance
 O'Hagan, James
 Orr, W. J.
 O'Lary, Daniel
 Oliver, Frank
 O'Day, Michael
 O'Connell, John
 Parsons, Wm. J.
 Putt, Lewis
 Payne, Wm. H.
 Payne, Geo. W.
 Pfaff, Michael
 Peterson, John
 Paden, Thos.
 Parsons, Andrew
 Pfaff, Narcis
 Pfaff, Elias

Pierce, A. K.
 Powers, James
 Phypher, Anthony
 Pierce, Lewis P.
 Pierce, James H.
 Petriken, Forsyth
 Poorman, Thos.
 Palmer, Peter
 Parish, Augustus
 Phillips, Robert
 Pullen, D. S.
 Potts, C. H.
 Poller, G. L.
 Paul, Georg W.
 Quinn, Samuel A.
 Quinn, James F.
 Quinn, Jacob
 Rumbarger, B. F.
 Roat, Daniel
 Reilley, John
 Rutledge, Jesse W.
 Roan, Andrew
 Ryan, Michael
 Reese, D. J.
 Reipel, John
 Russel, A. P.
 Rooney, A. J.
 Roach, John
 Roberts, H. L.
 Ropp, George
 Rutledge, Jesse, jr.
 Roon, John
 Rutledge, Wm. T.
 Roberts, N. B.
 Richardson, Chares
 Ruple, Joseph
 Roddy, Wm.
 Robison, J. L.
 Reilley, John J.
 Renals, Samuel
 Reed, Richard
 Russart, Charles
 Rodkey, Walter
 Ross, J. C.
 Russ, Frank
 Russel, David
 Reilley, James
 Reifsnyder, C. H.
 Ryder, Steven
 Russell, Patrick
 Robison, D.
 Rutledge, George
 Ruple, Daniel
 Renner, S. S.
 Reilley, Jas.
 Reipple, Paul

Stout, Alve M.	Shank, M. A.	Uhl, H.
Stout, Michael	Snyder, O. H.	Van Riper, Edward
Smith, John	Sinnott, Wm.	Venetta, Joseph
Shuster, James R.	Steele, John T.	Vincent, Samuel
Sullivan, P. H.	Sterley, Henry	Vincent, Joseph
Slatery, John	Scott, D. P.	Ward, John
Swain, E. T.	Sutch, Wm.	Wahburn, H. V.
Seidle, Luther R.	Smith, Chares	Wright, G. Clerence
Sterner, N. L.	Snow, Wm. H.	Whitby, Joseph
Smith, Bernard J.	Sharp, Miles	Werts, Simon
Spangler, Jacob M.	Sweezy, Charles	Woodaling, Jacob
Spangler, Daniel	Shank, David	Woods, Thomas
Snodgrss, John	Summerson, D. F.	Walsh, Wm.
Selberg, August	Sattsman, Geo. W.	Welsh, Patrick
Swoyer, Geo.	Sneck, Phillip	Wagner, Wm. Z.
Shehan, Patrick	Spencer, Charles	Westfall, E. B.
Shank, C. A.	Stiles, R. B.	Weigartz, Albert
Shelley, Patrick	Scott, John	Weaver, John W.
Smith, Frank J.	Schroyer, C. A.	Wallace, Wm.
Smith, A. J.	Smith, Edger	Weeks, Newton
Sesenbach, J. P.	Street, Benjamin	Weil, John
Sullivan, John	Sweely, Geo. P.	Wells, Newton
Sheldon, John W.	Sullivan, Cornelius	Wells, J. M.
Singer, Theodore F.	Snyder, Jerry	Whitby, John G.
Sexton, Peter	Sullivan, Eugene	Widler, W.
Shultz, Fredrick	Steadman, Steven	Willmus, Bernard
Stevenson, A. N.	Snyder, Jerry	Williams, John A.
Standaford, Jos.	Shoaf, H.	Weidler, A. J.
Shaffer, J. U.	Swartz, Fisher	Wicket, Martin
Spencer, Joseph	Summers, Steven D.	Welsh, Charles
Sanders, D. L.	Steadman, S.	Woodall, Wm.
Stout, John M.	Tanner, S. D.	Ward, C. L.
Shea, James	Thomas, Wm. H.	Woodall, Geo.
Stout, David	Tearney, Thos. H.	Wallthall, Richard
Singhieser, G. W.	Travis, J. H.	Whighaman, W. H.
Suthers, Wm.	Turley, Edward	Wright, Samuel
Siebert, Geo. W.	Tarbell, Geo.	Walters, Wm.
Staufer, Jacob	Thomas, Frank R.	Wellman, Herman
Sapp, H. A.	Thomas, F. A.	Welch, James
Simpson, J. F.	Thomas, C. F.	Weils, Putnam
Smith, John I.	Taylor, Thos. R.	Willson, H. M.
Stout, Phillip	Taylor, Richard S.	Ward, W. W.
Stout, H. R.	Thomas, John H.	Williams, Jas. A.
Stout, James R.	Trump, Frank T.	Woods, Chas. H.
Sapp, Geo. W.	Turley, Hugh	Welty, W. C.
Smith, John	Tottingham, L.	Young, Thomas P.
Simcox, Jacob	Titus, U. S.	Youtz, Wm.
Swyers, Wm.	Uhl, Earnest J.	Young, James M.
Sullivan, John E.	Ulery, George	Zimmerman, John
Smith, Nickademus	Unckel, Charles	Zimerhockler, Joseph
Sh lby, Charles		

STATE OF PENNSYLVANIA,

Clinton County, ss:

I hereby certify that the foregoing is a true copy of the registry list of voters for the election district of Renovo Borough, in said county and State for the year 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county the 25th day of March, A. D. 1879.

[SEAL.]

WM. H. SMITH,
Clerk to the Commissioners.

RENOVO, PA., *September 6, 1878.*

I do hereby return to the commissioners of Clinton County the last completed register for the borough of Renovo for the year 1878.

JOHN SMITH,
Assessor.

ELK COUNTY.

Depositions of witnesses produced, sworn, and examined at the Brandy Camp Hotel, in the township of Horton, in the county of Elk, and State of Pennsylvania, before M. S. Kline, a notary public in and for said county, on the 13th, 14th, 15th, 17th, 18th, 19th, 20th, 21st, and 22d days of March, A. D. 1879, in a certain contest now pending in the House of Representatives of the United States of America concerning the position of Representative for the twentieth Congressional district of the State of Pennsylvania, in the Forty-sixth Congress of the United States of America, wherein A. G. Curtin is contestant and Seth H. Yocum is contestee, on the part of said contestee.

MARCH 13, 1879.

George R. Dixon, esq., counsel for contestant, and W. W. Ames, esq., counsel for contestee, present.

JOHN S. CLARK, a witness, sworn and examined, testified as follows :

Question. What is your name?—Answer. John S. Clark.

Q. What is your age?—A. Twenty-four.

Q. Where do you reside?—A. I have for the last three or four years mostly in Horton Township, Elk County, Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district, November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress at that time, if anybody, for the twentieth Congressional district of the State of Pennsylvania?—A. I voted for Yocum.

Q. Can you give his given name?—A. Seth H.

Cross-examined by GEORGE R. DIXON, Esq., counsel for contestant :

Q. To whom did you pay a State or county tax?—A. To Thomas Burchfield.

Q. When did you pay it?—A. I couldn't exactly tell you the day and date, but it was in time enough to vote at the time I paid him. It was May 13, 1878.

Q. Where did you pay it?—A. I paid it at Brockport.

Q. How?—A. I paid it in money; cash.

Q. Did you take a receipt at the time you paid the money?—A. Yes, sir.

Q. When were you assessed?—A. That's more than I can answer, just when I was assessed. I was assessed before I paid the taxes, sometime.

Q. Were you assessed at all?—A. Yes, sir.

Q. Who assessed you?—A. George Clinton, I think.

Q. When was George Clinton assessor?—A. In 1877, I think. I can't remember. I wouldn't be positive.

Q. On what was the assessment made?—A. I had nothing to be assessed with, but he assessed me; put down my name; I don't know but what it was in order to vote.

Q. To what political party did you belong in the fall of 1878?—A. To the Greenback party.

Q. Did you examine carefully your ticket just before you cast it at the general election in Horton district, November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?—A. For Yocum.

Q. Do you swear positively that you voted for Yocum?—A. Yes, sir.

Q. When were you out of the State of Pennsylvania?—A. I never was out of the State.

Q. When were you out of the county and had a residence out of the county?—A. In 1875.

Q. Didn't you have a residence out of the county in 1877?—A. I was out of the county about two months in 1877.

Q. Weren't you out of the county in 1878?—A. No, sir.

Q. Where were you born?—A. Born in Clarion County.

Q. What is your occupation?—A. Laborer; lumbering.

Q. For whom do you work?—A. For W. H. Horton.

Redirect:

Q. Do you or do you not know what men without property and engaged in other business than farming are assessed with?—A. I know, but I can't exactly explain it.

JOHN CLARK.

JAMES DILLIN sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. James Dillin.

Q. What is your age?—A. Twenty-nine years old.

Q. What is your occupation?—A. Mostly in the lumber woods I have been working.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Between six and seven years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election in Horton district November 5, 1878, for a person for Representative to Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom?—A. For Seth H. Yocum.

Cross examined by GEORGE R. DIXON, Esq.:

Q. Have you talked with any one about the name Seth H. Yocum?—A. No, sir; I don't know as I have.

Q. How does it come that you remember the name to be Seth H. Yocum?—A. It was on the ticket.

Q. Didn't some one tell you to say that the name was Seth H. Yocum here in your evidence?—A. No, sir; they didn't tell me to say it was.

Q. What did they say?—A. I don't mind.

Q. Do you swear positively that you recently have had no conversation with any one in regard to the name Seth H. Yocum as being on the ticket you voted?—A. No conversation with any one; they told me it was Seth H. Yocum, and I voted the ticket.

Q. Who told you?—A. I don't know.

Q. Haven't you heard the matter of the name Seth H. Yocum discussed since you were subpoenaed to appear here?—A. No, sir.

Q. Did you examine your ticket carefully immediately before you cast it, at the general election in Horton district November 5, 1878?—A. Yes, sir.

Q. Can you read?—A. Yes, sir.

Q. Was the name Seth A. Yocum or Seth Yocum?—A. No, sir; Seth H. Yocum.

Q. Was the name written or printed on your ticket?—A. Printed.

Q. To whom did you pay a State or county tax?—A. To Mr. Joe Chamberlain.

Q. When?—A. I believe in September, 1878.

Q. Wasn't it in October?—A. No, sir; I believe not.

Q. Where did you pay it?—A. In Horton Township, in Chauncey Brockway's barn.

Q. How did you pay it?—A. I paid it in money.

Q. Did you take his receipt at the time you paid it?—A. No, sir; I didn't.

Q. Don't you know that Joseph Chamberlain was not a collector of State or county tax for the year 1878?—A. No, sir.

Q. Was it a State or county tax that you paid him, or was it a school or road tax?—A. A school tax.

Q. For whom did you labor in the fall of 1878?—A. For Chauncey Brockway.

Q. To what political party did you belong on November 5, 1878?—A. The Republican party.

Q. Don't you know that the Republican tickets were printed without the name of any candidate for Congress upon them?—A. I don't know.

Redirect:

Q. Did you pay any other taxes than a school tax referred to in your cross-examination within two years prior to November 5, 1878?—A. Yes, sir.

Q. What kind?—A. State and county tax.

Recross-examination:

Q. To whom did you pay State and county tax?—A. George Clinton.

Q. When?—A. I don't know the date.

Q. When were you assessed?—A. I don't know.

Q. Do you know whether you were assessed at all?—A. Yes, sir.

Q. How do you know it?—A. He came there and assessed me, George Clinton did.

Q. Did you pay the tax to George Clinton the same year?—A. Yes, sir.

Q. With what were you assessed?—A. Two cows.

Q. How did you pay Clinton?—A. In money.

Q. About when did you it?—A. I don't know.

Q. Do you know you paid it?—A. Yes, sir.

Q. How do you know it?—A. I gave him the money and he took it.

Q. Did you take a receipt at that time?—M. Yes, sir.

Q. Were you challenged November 5, 1878?—A. Yes, sir.

Q. What was the ground of the challenge?—A. I was not challenged on November 5, 1878; I misunderstood your first question.

JAMES DILLIN.

HENRY O. STEPHENS sworn and examined.

Question. What is your name?—Answer. Henry O. Stephens.

Q. How old are you?—A. Twenty-three years old.

Q. What is your occupation?—A. Just common laborer.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Two years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Were you November 5, 1878?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878?—A. I have.

Q. Did you vote at the general election held in Horton Township November 5, 1878, for a Representative for Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Did you examine your ticket before you cast it on November 5, 1878?—A. Yes, sir; I did.

Q. Was the name written or printed on the ticket—I mean the name of the candidate for Congress for whom you voted?—A. It was printed.

Q. Can you read?—A. Yes, sir.

Q. When were you subpoenaed to be here to give testimony in this case?—A. I think it was the 6th, last Thursday.

Q. Did anybody on Thursday last or since, or at any time, tell you to say in your testimony before this commission that the candidate for Congress for whom you voted on November 5, 1878, was named Seth H. Yocum?—A. No, sir; there didn't anybody tell me to say Seth H. Yocum.

Q. Have you had at any time a conversation with any one in regard to the full name of the Greenback candidate for Congress?—A. I did at the time of election and before.

Q. Have you had since a conversation with any one in regard to Mr. Yocum's full name?—A. No, sir; I haven't.

Q. Have you heard any one say what the full name of Mr. Yocum was?—A. I have.

A. Who?—A. Johnny Clark.

Q. Any one else?—A. I believe I heard James Dillin speak his name.

Q. Any one else?—A. Not that I know of.

Q. When did you hear John Clark and James Dillin say what the full name of Mr. Yocum was?—A. I heard them say so to-day.

Q. Was it before they came in here to testify?—A. I couldn't say whether it was before or afterwards.

Q. What did they say?—A. I don't remember just what they said. I heard them say the name of Seth H. Yocum.

Q. Isn't your recollection of the name Seth H. Yocum as the name of the candidate for Congress for whom you voted more from what you heard Clark and Dillin say, than from the ticket you voted?—A. No, sir; it isn't.

Q. To whom did you pay a State or county tax?—A. To Thomas Burchfield.

Q. When did you pay it?—A. I don't remember just when I paid it.

Q. You paid it about the middle of October, didn't you?—A. I think it was the last of September, or some time along in September.

Q. What makes you think so?—A. I know that I paid it long enough before the election. I think it was thirty-eight days before. If I had my book here and receipt, I could tell you exactly.

Q. Where did you pay it?—A. At Brockport, Horton's store.

Q. Did you pay him yourself, personally?—A. No, sir.

Q. Who did?—A. W. H. Horton. I was working for him. I gave him the scrip and he paid the tax.

Q. Did you see him pay it?—A. No, sir.

Q. Then you don't know that he did pay it, do you?—A. Yes, sir; Burchfield told me he paid it, and gave me a receipt for it.

Q. How do you know that he paid it if you did not see him pay it?—A. I have no reason to dispute either one of them. I never knew either one of them to tell a lie.

Q. When did you get the receipt from Mr. Burchfield?—A. Just before election awhile. The first time I saw him after the taxes were paid to him.

Q. What was this scrip which you gave Warren H. Horton with which to pay your tax?—A. It is Short & Horton's scrip. He paid his men partly with that and partly with money.

Q. Is the scrip money?—A. No, sir; it is not. It is as good as money at their store.

Q. Then you did not give W. H. Horton money with which to pay your tax?—A. It was as good as money to me.

Q. Was it money?—A. It was not money, but it was as good as money to me.

Q. Did you work for Short & Horton in the fall of 1878?—A. I worked on Horton's job.

Q. Were you assessed?—A. I was.

Q. When?—A. In the fall of 1878.

Q. About what time in the fall?—A. It was somewhere from the 15th of August to the last of August.

Q. With what were you assessed?—A. I think it was occupation.

Q. Who assessed you?—A. Rudolph.

Q. Where?—A. At O. E. Sherman's, on Bogy Run.

Q. Do you swear positively that you were assessed prior to September 10, 1878?—A. I couldn't swear positively.

Q. Have you lived in Horton Township continually for the past two years?—A. No, sir.

Q. Did you live and have your residence in Horton Township for two months immediately prior to November 5, 1878?—A. I did.

Redirect:

Q. How long had you been a resident of Horton election district before November 5, 1878?—A. Somewhere about three months.

Q. Where were you born?—A. I couldn't tell you exactly. It was in this State, in Elk or Jefferson County.

Q. Where were you prior to three months you spoke of in your answer to the last question but one?—A. I was in Fox Township, Elk County, Pennsylvania.

Recross-examination:

Q. Do you swear positively that you got the tax receipt prior to October 10, 1878?—A. No, sir; I don't.

Q. You didn't know that your tax was paid, positively, until you got your receipt?—A. Horton told me that he was going to pay it right away.

Q. You don't know as a fact that he did pay it right away?—A. He told me he did, and so did Burchfield tell me he did.

Q. At what time did they say he paid it?—A. I can't tell you exactly at what time he said he paid it.

H. O. STEPHENS.

ALEXANDER NULF sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Alexander Nulf.

Q. What is your age?—A. Twenty-two past.

Q. Where do you reside?—A. At Shawmut.

Q. Where did you live November 5, 1878?—A. At Shawmut, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Eight years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years which was assessed more than two months and paid at least one month before November 5, 1878?—A. No; I voted on age.

Q. How old were you at that time?—A. I was between twenty-one and twenty-two.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. I voted the Greenback ticket all through—for Seth H. Curtin.

Q. Who do you mean?—A. I mean Seth H. Yocum.

Q. Were you November 5, 1878, or since that time, acquainted with Charles Whalen?—A. Yes, sir.

Q. Did you have any conversation with him as to what ticket he voted November 5, 1878?

(Objected to by counsel for contestant as being incompetent.)

A. He told me afterwards that he voted the through Greenback ticket.

Q. Did he or did he not vote in Horton election district at that time?—A. Yes, sir.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. When were you born?—A. In 1857.

Q. What month?—A. In January, twenty-second.

Q. How do you know you were born January 22, 1857?—A. I know I was. Just like that fellow that was here the other day, I was there myself.

Q. Like what fellow that was here the other day?—A. Mr. Pearl Fields.

Q. Did he tell you what was asked him in his examination before this commission?—A. He told me a little of it.

Q. What did he tell you?—A. Just what I told you there.

Q. Then you don't know of your own knowledge how old you were on November 5, 1878, do you?—A. I was twenty-one past, going on twenty-two.

Q. How do you know?—A. I know because my mother has my age.

Q. Were you challenged on November 5, 1878?—A. No, sir.

Q. Did you examine your ticket carefully immediately before you voted it in Horton election district on November 5, 1878?—A. Yes, sir; I did.

Q. Do you swear positively that you voted for Seth H. Yocum?—A. Yes, sir.

Q. How do you remember that you voted for Seth H. Yocum?—A. I seen his name on the ticket.

Q. When?—A. The day of election.

Q. What made you say in your direct testimony to-day that you voted for Seth H. Curtin?—A. I made a mistake in the name.

Q. What led you immediately after to say that the name was Seth H. Yocum?—A. Because I had it here on a subpoena and looked at it.

Q. Isn't your recollection of the name of the candidate for Congress for whom you voted entirely, or almost entirely, from the name you saw on the subpoena of which you have spoken?—A. Yes; I recollect it, but I had forgot it.

Q. Are you sure that the name you just saw on the subpoena is the same that you had on your ticket?—A. Yes, sir.

Q. Did you see Charles Whalen vote in Horton election district on November 5, 1878?—A. Yes, sir; he voted before I did.

ALEXANDER ^{his} + NULF.
mark.

Witness:

M. G. KLINE.

WILLIS MOSHER sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Willis Mosher.

Q. How old are you?—A. I will be thirty-one in July, the 5th.

Q. Where do you live?—A. In Horton Township, Elk County, Pennsylvania.

Q. What is your occupation?—A. Laborer.

Q. How long have you lived in Horton Township, Elk County, Pennsylvania?—A. About ten years last January, I think.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person as Representative to Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Do you know his given name?—A. Yes, sir; Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what part of Horton Township do you live?—A. At a place called Brockport.

Q. Did you examine your ticket carefully before you cast it on November 5, 1878?—A. Yes, sir.

Q. Can you read?—A. Yes, sir.

Q. Was the name of the candidate for Congress for whom you voted written or printed on your ticket?—A. Printed, I believe.

Q. Was it printed Seth Yocum or Seth A. Yocum?—A. Seth H. Yocum.

Q. How do you remember that it was printed Seth H. Yocum?—A. Because I read it.

Q. Did any one tell you what to say in giving your testimony here when asked the name of the candidate for Congress for whom you voted?—A. No, sir.

Q. To whom did you pay tax?—A. To different collectors; I couldn't repeat their names. We have different collectors every year.

Q. To whom did you pay a State or county tax in 1877?—A. I don't know. (Witness looks at receipt and says:) To George W. Clinton, December 14, 1877.

Q. Did you pay yourself personally the county tax to George Clinton in 1877?—A. Yes, sir; I did.

Q. How did you pay it?—A. In money.

Q. At the time the receipt is dated?—A. Yes, sir.

Q. For whom did you labor in the fall of 1878?—A. I don't know; worked at different jobs, wherever I could catch them.

Q. Did you work for Short & Horton in the summer or fall of 1878?—A. I can't tell.

Q. When were you assessed in 1877?—A. I don't know what time in the year the assessor went around. It was when he went around.

Q. Did you see the assessor when he went around?—A. Yes, sir.

Q. What was his name?—A. I couldn't tell you that; I don't keep in my memory such things.

Q. Where did he assess you?—A. At home; down at Brockport.

Q. How does it come that you remember where you were assessed and not the name of the assessor?—A. Because we have different assessors every year; I don't remember one in particular.

Q. Do you swear positively that you were assessed?—A. Yes, sir; I was assessed.

WILLIS MOSHER.

ROBERT MCINTOSH sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Robert McIntosh.

Q. What is your age?—A. Sixty-eight, I believe.

Q. What is your business?—A. Farmer.

Q. Where do you live?—A. In Fox Township, Elk County, Pennsylvania, if I am not mistaken.

Q. How long have you lived there?—A. Twenty-eight years.

Q. Were or were you not in the portion of Fox Township taken off for Horton Township, which is now Horton Township?—A. Yes, sir; in the part taken off, and is now Horton Township.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months, and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes.

Q. For whom did you vote for said office?—A. For Curtin.

Q. What ticket did you vote?—A. I always vote the Republican ticket.

Q. Did you vote the straight Republican ticket last fall?

(Objected to by counsel for contestant, as being a leading question.)

A. I think I did.

Q. Do you know who was running against Curtin for Congress?—A. I did know; it was Slocum or Yocum, or some such name as that.

Q. What party ticket was he running on?—A. The Republican, I believe.

Q. Was he or was he not on the ticket you voted?

(Objected to by counsel for contestant, for the reason that he is impeaching his own witness.)

A. No, sir; it was Curtin. I was well acquainted with Curtin is the reason I voted for him.

(The counsel for contestant withdraws the last above objection.)

Q. Was or was not the name on the ticket you voted printed on?—A. I think it was; pretty sure.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. How long have you lived in what is now Horton Township?—A. Ever since it was set off from Fox Township.

Q. You said you voted for Curtin; it was Andrew G. Curtin, was it?—A. Yes, sir; that is the way I always understood it. We were boys together.

Q. Do you know whether the name Andrew G. Curtin was put on the ticket by a printed paster?—A. I think it was; I wouldn't be positive.

Redirect:

Q. Have you had any conversation since the election with any person in regard to the testimony you should give before this commission?—A. Not to my recollection.

Q. Have you seen George D. Messenger and had conversation with him recently in regard to the election November 5, 1878?—A. I have not.

ROBERT MCINTOSH.

C. L. CHAMBERLIN sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. C. L. Chamberlin.

Q. How old are you?—A. I don't know, but to the best of my knowledge and belief I was twenty-four the 28th day of last June.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. To the best of my knowledge and belief I have resided there my lifetime.

Q. What is your occupation?—A. Laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I suppose I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I have.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I don't remember whether I did or not.

Q. What ticket did you vote at the election November 5, 1878; I mean party ticket?—A. Republican.

Q. Did you prepare your own ticket?—A. I did.

Q. Have you any remembrance whether or not there was a name on that ticket for Congress?—A. I don't remember.

Q. Do you remember whether or not you put any person's name on the ticket you voted for Congress?—A. I don't remember.

Q. Did any person see you prepare your ticket, and if so, who?—A. I don't think anybody saw the ticket prepared before it was put in the box.

C. L. CHAMBERLIN.

JOHN WINKLEBLECK sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. John Winklebleck.

Q. What is your age?—A. Sixty years old.

Q. What is your occupation?—A. Farming.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. How long have you lived in Horton Township?—A. Since it was cut off from Fox Township.

Q. Have you paid a State or county tax, within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Do you remember his given name?—A. H. Yocum, esq.; that's the one I had on my ticket when I voted. (Witness referring to his subpoena.)

Q. What is the name?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Did you examine your ticket carefully immediately before you cast it on November 5, 1878?—A. I did just examine my ticket before I put it in.

Q. Do you swear positively that you voted for Seth Yocum?—A. I did vote for him.

Q. To what political party did you belong on November 5, 1878?—A. To the Republican party.

Q. Weren't the Republican tickets printed without the name of any candidate for Congress upon them?—A. I think they was printed without the name; still I know what was on it.

Q. Was the name of Seth Yocum printed or written upon the ticket you cast?—A. It was printed.

Q. Was it a paster, printed?—A. It was a printed paster.

Q. Did you put the printed paster upon the ticket?—A. I did not.

Q. Did you see whether the printed paster covered the words "For Congress" or not?—A. It is so long ago I couldn't tell. It was fixed so that I voted for Congress.

Q. Did you see the words "For Congress" on the ticket?—A. I can say yes when I put myself to it; I know what I was going to do, and remember it.

Q. Isn't your recollection of the name Seth Yocum, the candidate for Congress, for whom you voted, more from referring to the subpoena

which you now have in your hands than from the ballot you voted ?—A. I guess it ain't.

Q. Why did you refer to the name Yocum in the subpoena you now have in your hands when asked for the given name of Yocum ?—A. As you said it refreshed my mind by the look of it.

Redirect :

Q. Did the candidate, Seth Yocum, spoken of in your cross-examination have any middle letter to his name ; and, if so, what was it ?—A. It was H.

JOHN WINKLEBLECK.

ZEBULUN D. FURGASON sworn and examined.

Question. What is your name ?—Answer. Zebulun D. Furgason.

Q. How old are you ?—A. I am twenty-five.

Q. What is your occupation ?—A. Farmer.

Q. Where do you reside ?—A. In Elk County, Fox Township, Pennsylvania.

Q. Where did you reside November 5, 1878 ?—A. In Fox Township ; the same place I do now.

Q. Were you or were you not living in the portion of Fox Township of which Horton Township was established ?—A. I made a mistake in the township, I meant Horton Township.

Q. How long have you lived there ?—A. I came to this county one year ago, January 13, 1879.

Q. From where ?—A. From Williamsport, Lycoming County, Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania ?—A. I am.

Q. Have you paid a State or county tax, within two years, which was assessed at least two months and paid at least one month before November 5, 1878 ?—A. I have.

Q. Did you vote at the general election held in Horton District November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania ?—A. I did.

Q. For whom did you vote for said office ?—A. Seth H. Yocum.

Cross-examined :

Q. Did you prepare your own ticket that you cast on November 5, 1878 ?—A. I did not, but I got another man to prepare it for me.

Q. Did you examine carefully the ballot immediately before you cast it on November 5, 1878 ?—A. I did.

Q. Can you read ?—A. Make out to a little.

Q. To what political party did you belong on November 5, 1878 ?—A. To the Republican party.

Q. Don't you know that the Republican tickets were printed without the name of any candidate for Congress upon them ?—A. I do.

Q. The name of the candidate for Congress which you voted was written upon the ticket, was it not ?—A. No, sir.

Q. Was it printed ?—A. It was printed and pasted on.

Q. Did you see the words "For Congress," upon the ticket which you voted ?—A. I don't think I did.

Q. Do you remember distinctly and swear positively to the name of the candidate for Congress for whom you voted ?—A. I do.

Q. Now wasn't the name that was pasted on your ticket, simply Seth Yocum?—A. It was.

Q. To whom did you pay a State or county tax in 1878?—A. To Mr. Burchfield.

Q. When did you pay it?—A. I can't tell you the exact date.

Q. About when?—A. A few days over a month before the election.

Q. Did you pay it yourself personally to Mr. Burchfield?—A. Yes, sir.

Q. Where?—A. At my home.

Q. Did you get a receipt?—A. Yes, sir.

Q. When did you get the receipt?—A. I didn't get the receipt until the day of election.

Q. How did you pay him?—A. I paid him the money.

Q. Why didn't he give you the receipt when you paid him the money?—A. He was on his way home from Ridgway with a load of goods, and he told me he hadn't paper with him, and hadn't time to give it.

Q. What date did he put in the receipt?—A. He dated it the day that he gave it to me.

Q. How do you remember that?—A. I remember it because I seen it.

Q. How do you remember so distinctly that you paid him a few days more than a month previous to November 5, 1878?—A. When he came along there I told him that I guessed it was about time that I should pay my tax so I could vote, and he told me I had three or four days to go on yet.

Q. How did he know the amount of your tax?—A. He told me the amount a few days before that.

Q. Did he have his tax duplicate with him the day you paid the tax?—A. I didn't see it.

Q. When were you assessed?—A. I couldn't tell you that exactly.

Q. About when?—A. I don't know that I can tell you anyways near the time.

Q. Can you swear positively that you were assessed prior to September 10, 1878?—A. I was assessed or they wouldn't have asked me to pay tax.

Q. It was about the middle of September when you were assessed, wasn't it?—A. I didn't pay any attention to the time.

Q. Who assessed you?—A. I don't know the man.

Q. Where?—A. In Short & Horton's store.

Q. With what were you assessed?—A. He assessed me, I think, with a young man's tax; I wouldn't be positive.

Q. When were you born?—A. I was born March 11, 1854.

Q. Where?—A. In Lycoming County.

Q. Was your vote challenged on November 5, 1878?—A. It was not.

Redirect:

Q. Was there or was there not a middle letter in the name Seth Yocum mentioned in your cross-examination; and, if so, what was that letter?—A. I didn't notice whether there was or not.

ZEBULUN D. FURGASON.

Not being able to complete the taking of said depositions, by consent of parties I adjourned the further taking of the same to Friday, March 14, 1879, at eight o'clock in the forenoon, at the same place.

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Friday, March 14, 1879.

Pursuant to adjournment we met and continued the further taking of said depositions.

Same attorneys present.

JOHN SILVIS sworn and examined.

Question. What is your name?—Answer. John Silvis.

Q. What is your age?—A. Forty-seven years past.

Q. What is your occupation?—A. Farmer.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Since 1855.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Can you give his given name?—A. Seth Yocum, I believe was the name.

Q. Had or had not this man a middle letter to his name?—A. Yes, sir; Seth H. Yocum.

Q. What relation, if any, are you to Daniel Silvis?—A. I am his father.

Q. Do you know whether or not Daniel Silvis voted at the last general election held in Horton Township, November 5, 1878?—A. I know he voted; I seen him.

Q. Do you know what ticket he voted for Congress?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that the ballot has been lost or destroyed.)

A. Yes, sir.

Q. What was it?—A. The same ticket I voted, for Seth H. Yocum.

Q. Do you mean that you both voted the one ticket or separate tickets of the same kind?

(Objected to by counsel for contestant as leading the witness.)

A. As a matter of course we didn't both vote one ticket; voted separate tickets, as a matter of course.

Cross-examined:

Q. In what part of Horton Township do you reside?—A. Brockport; that is the nearest place we have a name for.

Q. What is your business?—A. Farming.

Q. Do you not work also at lumbering?—A. Yes, sir.

Q. Did you not in the summer and fall, or in the summer or fall, of 1878, work more or less for Short & Horton?—A. I worked some for him.

Q. To whom did you pay a State or county tax?—A. To George W. Clinton.

Q. When?—A. I can't tell you not till I look at receipt. (Witness looks at paper and says :) November 27, 1877.

(Counsel for contestant offers a copy of receipt, as follows :)

“ HORTON, *Nov.* 27, 1877.

“ Received of John Silvis, by the hand of James Yale, one dollar and twenty cents, in full for State and county tax for the year 1877.

“ GEO. W. CLINTON, *Col.*”

Q. When did you get this receipt dated November 27, 1877 ?—A. I got that receipt last night.

Q. What day of the month and what month that you got it ?—A. I don't know what day of the month yesterday was.

Q. Did you get the receipt in question from George W. Clinton ?—A. Yes, sir ; I got that from Mr. Clinton.

Q. Did you pay this tax to Mr. Clinton yourself ?—A. No, sir.

Q. Did you see James Yale pay this tax to Mr. Clinton ?—A. No, sir.

Q. Did you see George W. Clinton write this receipt ?—A. Yes, sir.

Q. When did you see George W. Clinton write this receipt ?—A. He wrote it for me last night.

Q. When were you subpoenaed to appear before this commission ?—A. Tuesday, I think.

Q. Did you not talk with George W. Clinton and others on Tuesday or since about preparing to appear here and give in testimony ?—A. No, sir ; not any more than I had to go and get the receipt.

Q. What made you go last night and get this receipt ?—A. Because the receipt I got from him was lost, and I thought I would need one here.

Q. Do you swear that of your own knowledge you know positively that James Yale ever paid the tax mentioned in this receipt ?—A. No, I don't know, of course ; if he wouldn't have paid it, it would be against me ; I didn't see him pay it, of course I didn't ; I know I paid Yale.

(The expression above given, to wit, “ I know I paid Yale,” by the witness, is objected to by counsel for contestant, because it is not in any way, directly or indirectly, an answer to the question asked.)

Q. When were you assessed ?—A. I couldn't tell you that.

Q. Do you swear that you were assessed ?—A. No, sir ; I couldn't.

Q. You neither know of your own personal knowledge that Yale paid this tax in question nor when he paid it, do you ?—A. No, sir.

Q. Did you examine the ticket you cast on November 5, 1878, in Horton election district immediately before you cast it ?—A. I didn't look over the whole of it ; I looked over some of it, and I saw that the main men that I cared anything for were on.

Q. To what political party did you belong on November 5, 1878 ?—A. To the Democratic party, but I voted the Yocum ticket last fall.

Q. Don't you know that the Democratic tickets in the fall of 1878 were not printed with name of Yocum upon them ?—A. I don't know whether I can answer that question or not.

Q. Was the name of Seth Yocum printed upon the ticket you voted ?—A. Yes, sir.

Q. Did you prepare your own ticket ?—A. I got it at the election ground, my own ticket.

Q. Were you challenged on November 5, 1878, at Horton election polls ?—A. No, sir.

Q. Was the vote of your son, Daniel Silvis, challenged on November 5, 1878, at Horton election polls ?—A. No, sir ; he wasn't.

Q. How old was your son, Daniel Silvis, on November 5, 1878 ?—A. Twenty-two past ; I mean twenty-two years.

Q. How long had he lived in Horton Township?—A. Born and raised here.

Q. What is his occupation?—A. Works at lumbering and anything he can get to do; is at home part of the time.

Q. Has he made it his home with you since his majority?—A. Yes, sir.

Q. He voted on age, didn't he?—A. At one time he did; not this last time he didn't.

Q. When did he vote the last time?—A. Last fall.

Q. Do you swear positively that he was assessed?—A. No, sir.

Q. Do you know of your own knowledge, and do you swear that he himself paid a State or county tax?—A. I didn't see him, but he told me he did.

Q. What time of the day November 5, 1878, did you vote?—A. About three o'clock.

Q. Did you get your ticket from a person or did you take it from a desk within the election house?—A. I asked Warren Horton for a ticket and he went and got me one.

Q. Were you, when you asked Warren Horton for the ticket, within the election house?—A. Yes, sir; I was in this election house.

Q. Do you know that Warren Horton had in his hands tickets with and tickets without the name "Yocum" upon them when he gave you the ticket you voted?—A. No, sir.

Q. Can you read?—A. Yes, sir.

Q. How long before you voted on November 5, 1878, was it that Daniel Silvis voted?—A. I put in my ticket, and the next one after mine he put in his.

Q. Did Warren Horton fold the ticket for you?—A. No, sir.

Q. Did you fold it?—A. Yes, sir.

Q. Did you let the ticket pass out of your hands after receiving it from Warren Horton and before you voted it?—A. No, sir.

Q. Might your son Daniel Silvis have deceived you when he told you how he voted?—A. No, sir.

Q. Have you ever known sons to deceive their parents?—A. No, sir.

Q. Can sons deceive their parents?—A. Yes, sir; they can.

Q. Might Daniel Silvis not have voted, possibly, for Andrew G. Curtin?—A. He might, but I know he didn't.

Q. Couldn't he have had a Curtin ticket in his hand which he did not show you and a Yocum ticket in his hand which he did show you, and then have voted the Curtin ticket?—A. He could, but he didn't.

Q. Were your eyes constantly on him from the time you saw a ticket in his hands till the time he voted, and that for the express purpose of seeing and knowing precisely how he voted?—A. Yes, sir.

Q. Do you swear positively in giving your answer to the last above question?—A. Yes, sir; I stood at the window and looked at his ticket and handed it right back to him, and he put it in.

Q. Where did he get his ticket?—A. I gave it to him.

Q. Where did you get it?—A. From Horton.

Q. Warren H. Horton?—A. Yes, sir.

Redirect:

Q. How did James Yale come to pay the tax referred to in the receipt, a copy of which is hereinbefore set forth?—A. Because he was farming the place—living on the place.

Q. Was it paid by you to him at or near the time mentioned in the receipt spoken of by you as being lost?

(Objected to by counsel for contestant, as irrelevant and incompetent.)

A. About that time.

Q. Is the receipt spoken of by you as having been drawn last night, a copy of which is set forth in your evidence, a duplicate of the receipt spoken of as lost, in respect to date, what for, and signature?—A. That receipt is drawn from George Clinton's duplicate.

Q. Are you or are you not a property holder; and, if so, for how long have you been?—A. I have been for about six years.

Recross-examined:

Q. At the time James Yale lived on and worked your farm, wasn't it agreed between you and Yale that he should pay the tax?—A. Yes, sir; he was to pay the tax.

Q. Then you did not yourself, as you stated, pay George Clinton the tax in question?—A. No, sir; I did not pay George Clinton.

Q. Have you had any conversation with any one about what you should testify to before this commission in regard to the name of the candidate for Congress for whom you voted?—A. No, sir; I didn't.

Redirect:

Q. Was or was not the payment of taxes agreed upon between you and Yale a part of the consideration for leasing him the property?—A. He was to pay part of it and I was to pay the others, and he paid the whole of it and I paid him.

Recross-examined by GEORGE R. DIXON:

Q. Did you own the land which James Yale farmed?—A. Yes, sir; I did.

Q. Didn't James Yale agree to pay the road and school tax?—A. He agreed to pay the road tax, and I paid the school tax myself.

JOHN SILVIS.

CHRISTIAN HINES sworn and examined.

Question. What is your name?—Answer. Christian Hines.

Q. What is your age?—A. I was born in 1844.

Q. What is your occupation?—A. Laborer.

Q. Where do you reside?—A. Little Toby, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Fifteen or sixteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I suppose I be.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878, for a candidate for Representative to Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. I intended to vote for Yocum; I believe I did.

Q. Do you know his given name?—A. I don't know as I do; I don't remember now.

Q. What ticket did you vote at said election?—A. I mixed it up some.

Cross-examined:

Q. Were you assessed?—A. Yes, sir.

Q. Are you a married or single man?—A. Married man.

Q. On what were you assessed?—A. With nothing I guess.

Q. When were you assessed?—A. I can't tell that.

Q. Who assessed you?—A. Mr. Rudolph.

Q. To whom did you pay a State or county tax?—A. I think it was to Mr. Burchfield.

Q. Did you pay Mr. Burchfield yourself personally a State or county tax?—A. Yes, sir.

Q. When?—A. I can't tell that.

Q. Do you swear positively that you paid Mr. Burchfield a State or county tax prior to the middle of October, 1878?—A. Yes, sir.

Q. Did you pay him in money?—A. Yes, sir.

Q. Were you living with your family and did you have a residence with your family in Horton Township at least two months prior to November 5, 1878?—A. I don't believe I went to housekeeping then yet, because I hadn't been married only a little over a year ago.

Q. Mr. Hines, didn't you live and work in Clarion County, Pennsylvania, in the fall or summer of 1878?—A. No, sir.

Q. Do you swear positively that you had a residence in Horton Township throughout the year 1878?—A. I suppose I had; I was there all the while.

Q. Was your family in Horton Township during the summer and fall of 1878?—A. They have since I got them.

Q. Wasn't that a road and school tax that you paid Clinton?—A. I don't know as I ever paid Clinton any tax.

Q. What kind of a tax did you pay Mr. Burchfield?—A. I have paid him a good many different kinds of tax.

Q. Wasn't it a road, school, and poor tax that you paid him in 1878?—A. I paid him poor tax for 1878, and State and county tax.

Q. Did you take a receipt from Mr. Burchfield for the tax you paid him?—A. No, sir.

Q. Did you hand him personally and directly the money in payment of the taxes mentioned?—A. Yes, sir.

Q. Did Mr. Burchfield have his tax duplicate with him when you say you paid him?—A. Yes, sir; I believe he did; I asked him how much it was and he pulled out his book and told me.

Q. Have you never received a receipt from him for the tax you then and there say you paid?—A. No, sir; not the tax I am speaking of.

Q. Did you examine carefully your ballot immediately before casting it in Horton election district at the polls on November 5, 1878?—A. No. I most always make out my ticket, and I go and put it in; I don't look at it the last thing I do.

Q. You voted a mixed ticket, did you not?—A. I believe I did.

Q. Do you swear positively that you voted for a candidate for Congress?—A. Well, I intended to; I suppose I did.

Q. Do you say now on your oath that you positively did?—A. No, I won't say that; I intended to, and suppose I did.

C. S. HINES.

E. C. BURCHFIELD sworn and examined.

Question. What is your name?—Answer. Elmer C. Burchfield.

Q. What is your age?—A. I am between twenty-one and twenty-two.

Q. When were you twenty-one years old?—A. The eighteenth of last March.

Q. Where did you reside November 5, 1878?—A. At Brockport, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. About fourteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Did you vote at the general election held in Horton district, November 5, 1878, for a candidate for Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. For Yocum, I believe, is the man's name.

Q. Do you know his given name; and, if so, what is it?—A. I do not.

Q. What ticket did you vote November 5, 1878?—A. The Greenback ticket for the county—the Republican ticket for the State.

Cross-examined:

Q. Was your vote at Horton election polls on November 5, 1878, challenged?—A. It was not.

Q. Was your name on the registry?

(Objected to by counsel for contestee as incompetent, the registry-list itself being the best evidence, and there being no proof that it is lost or destroyed.)

A. It was.

Q. Did you prepare the ticket you voted on November 5, 1878?—A. I did.

Q. Did you examine the ticket carefully just before you cast it on November 5, 1878?—A. Within five minutes before I cast it.

Redirect:

Q. What year did you mean you were twenty-one?—A. 1878.

Recross-examined:

Q. Do you swear that you voted for any one as candidate for Congress?—A. I can.

E. C. BURCHFIELD.

WILLIAM VIBBERT sworn and examined.

Question. What is your name?—Answer. William Vibbert.

Q. How old are you?—A. Toty-two years old the 17th of this month.

Q. Where do you reside?—A. At Bogy Run, Elk County, Pennsylvania.

Q. What is your business?—A. Farming.

Q. How long have you resided at Bogy Run, this county?—A. Five years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote in Horton district at the general election there held. November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Seth H. Yocum.

Cross-examined:

Q. When were you subpœnaed to appear and testify before this commission?—A. Yesterday.

Q. Who subpœnaed you?—A. The subpœna was sent by Mosier.

Q. Did Mosier give you the subpœna?—A. No, sir.

Q. Who did?—A. His wife gave it to me.

Q. Have you had to-day or within the last few days a talk with any one as to what you should say before this commission?—A. Not a word.

Q. Didn't Capt. James Woodward talk with you to-day and tell you the full name of Seth Yocum?—A. No, sir.

Q. How is it that you remember the full name of Yocum to be as you have stated?—A. The way I remember, I seen it on the ticket and I seen it on the subpoena.

Q. Haven't you heard it talked that the witnesses who appeared here before this commission were asked to state particularly the full name of the candidates they voted for?—A. No, sir.

Q. Isn't your recollection of the name of the candidate for Congress for whom you say you voted entirely from the subpoena which you received from Mrs. Mosier?—A. Yes, sir.

Q. Did you examine your ticket immediately before you voted it at Horton election poll in November 5, 1878?—A. Yes, sir; I did, sir.

Q. How long before?—A. Immediately after I got it.

Q. Where did you get the ticket in question?—A. I got it from Hooper.

Q. He prepared the ticket for you, did he not?—A. Yes, sir.

Q. Can you read?—A. Yes, sir.

Q. To what political party did you belong on November 5, 1878?—A. To the Republican party.

Q. Don't you know that the Republican tickets in Horton Township, in the fall of 1878, were printed without the name of any candidate for Congress upon them?—A. Well, sir, I could not say positively.

Q. The name of the candidate for Congress for whom you say you voted was written upon your ticket, was it not?—A. Yes, sir.

Q. Do you remember distinctly and do you now swear positively that the name of the candidate for Congress for whom you voted on November 5, 1878, was Seth Yocum?—A. Yes, sir.

Q. Was it not simply C. Yocum?—A. It was S. H. Yocum.

Q. Did you see or was there upon the ticket you voted the words "for Congress"?—A. Yes, sir.

Q. You erased those words, did you not?—A. No, sir.

Q. Did you write the name of the candidate for Congress for whom you voted upon your ticket?—A. No, sir; I didn't write it.

Q. The person who prepared your ticket was the one, then, was he not, who erased the words "for Congress"?—A. I could not say as to that.

Q. Now, on your oath, of your own knowledge to a certainty, do you swear that you voted for S. Yocum for Congress?—A. I voted for S. H. Yocum.

Q. To whom did you pay a State or county tax?—A. To George Clinton.

Q. When did you pay him?—A. It is a year ago just about this time.

Q. Did you take a receipt therefor?—A. I don't recollect as I did.

Q. Did you personally and directly pay him the tax in question?—A. I did, sir.

Q. This was a road and a poor tax that you paid him, was it not?—A. If I recollect right, it was a State and county tax.

Q. Were you assessed?—A. Yes, sir.

Q. Who assessed you?—A. George Clinton.

Q. Did George Clinton assess you in 1878?—A. Yes, sir.

Q. That is the year in which you paid him the tax in question, was it not?—A. Yes, sir.

Q. What were you assessed with?—A. A span of horses.

Q. What was your business in the summer and fall of 1878?—A. Farming.

Q. Did you not also work at lumbering?—A. No, sir.

Q. Was George W. Clinton collector and assessor the same year, 1878?—A. He was.

Q. Now, wasn't he simply a collector of road, school, and poor tax in 1878, the year in which you say he was collector and assessor?—A. If I recollect right, I think it was just as I stated before.

Q. Are you a native of Pennsylvania?—A. I was born in York State.

Redirect:

Q. State whether the name of the candidate for Congress was printed or written.—A. It was written.

Recross-examined:

Q. Bogy Run, where you say you live, is in Fox Township, is it not?—A. Well, sir, I couldn't tell you exactly. I think it is. The places are all new to me.

Q. Have you lived for the past five years on Bogy Run, where you now live?—A. Yes, sir.

WILLIAM VIBBERT.

O. E. SHERMAN sworn and examined.

Question. What is your name?—Answer. Oliver Elias Sherman.

Q. How old are you?—A. Thirty-nine years old the 23d day of February.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Since two years ago the last of this month or the first of next month.

Q. What is your occupation?—A. Laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. I can't tell just when it was assessed. I paid two State and county taxes since I came there—1877 and 1878.

Q. Did you vote at the general election held in Horton district, November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Q. Are you acquainted with William Vibbert?—A. Yes, sir.

Q. Do you know where he lives on Bogy Run?—A. Yes, sir.

Q. What township is that in?—A. Horton.

Cross-examined:

Q. In what part of Horton Township do you reside?—A. Bogy Run.

Q. Do you, of your own knowledge, know that you were assessed?—A. I had a notice to that effect.

Q. Who sent you your notice?—A. The notice was sent by my hired man, T. W. Space. I think he said Burchfield sent it.

Q. Do you know that Burchfield was not an assessor for Horton Township for 1877 or 1878?—A. Yes, sir; was not an assessor.

Q. Then this notice which you received from Mr. Burchfield was not the notice of an assessor?—A. The notice was probably given him by the assessor; Burchfield was constable; the notice had the assessor's name on.

Q. Who was assessor?—A. G. W. Clinton, 1877, and W. Rudolph in 1878.

Q. To whom did you pay tax that was assessed by G. W. Clinton in 1877?—A. To G. W. Clinton.

Q. Do you say that G. W. Clinton assessed and collected the taxes that he assessed the same year, 1877?—A. No, sir.

Q. Wasn't that a poor, a road, and a school tax that you paid G. W. Clinton in 1877?—A. No, sir.

Q. Didn't the notice which you received from Constable Burchfield simply set forth that you had been assessed with poor and road tax to a certain amount?—A. No, sir.

Q. Do you of your own knowledge to a certainty know where the line is which separates Horton Township from Fox Township in the region of Bogy Run?—A. No, sir.

Q. Then you don't swear positively and say that you know to a certainty that William Vibbert lives in Horton Township?—A. Nothing nearer than that I know he votes in Horton Township.

Q. The fact that he votes or voted in Horton Township on November 5, 1878, is the reason then, is it not, that you said he lived in Horton Township, and you did not speak of your own personal knowledge?—A. To the first of that question would imply the answer no, sir. He has voted in that township to every election since I have been in the county. Furthermore, I have been told by both of the assessors and reliable business men in this county that the Wadsworth lot is in Horton Township.

(The counsel for contestant objects to so much of the witness's answer to the last above question as is hearsay; second, that the same part of the answer to the last above question does not in any way, directly or indirectly, answer the question put.)

Q. Did you not, in the summer and fall of 1878, work more or less at lumbering?—A. I didn't work at all at lumbering in the summer. In the fall I did.

Q. For whom did you work?—A. Short & Horton.

Q. In what direction is William Vibbert's farm from the place on Bogy Run that you occupy?—A. In a southeasterly direction; more south than east, I should say.

Q. Does any part of Fox Township lie southeast of your place on Bogy Run?—A. I should think it must be; but I don't know that I ever was in the township.

Q. You are not familiar, then, with the location of the line between Horton and Fox at the southeast of where your place is on Bogy Run?—A. Not positively.

Q. Have you heard it talked that we, the members of this commission, were particular in our examination of our witnesses as to the full name of the candidates for Congress voted for by the witnesses?—A. I don't know that I ever heard one that had been sworn here say anything of the kind that you were.

Q. Did you ever hear any one say that we were exacting in our examination of witnesses before this commission the full name of candidates voted for?—A. I heard some one make such a remark; I don't remember who it was.

Q. To what political party did you belong on November 5, 1878?—A. National Greenback party.

Q. Did you prepare the ticket you voted in Horton election district on November 5, 1878?—A. I procured the straight ticket, examined it, was satisfied with it, and voted it.

Q. Did you notice whether the name of the candidate for Congress

for whom you say you voted was Seth Yocum, or Seth Y. Yocum, or Seth A. Yocum?—A. I did.

Q. Was the name written or printed on the ticket you voted?—A. It was printed.

Q. Where did you procure your ticket?—A. I procured it after I went to the election house. I can't say just who I got it of, whether it was Jack Allen, W. H. Horton, or H. C. Burchfield. I think it was either Burchfield or Allen.

Q. Were you at the time you procured your ticket of Allen or Burchfield in the election house?—A. It seems to me the one that gave me the ticket sat on the steps as I came up to the house.

Q. Isn't your recollection of the name of the candidate for Congress for whom you allege you voted on November 5, 1878, almost entirely from the appearance of the name "Yocum" on the subpoena by which you were summoned here?—A. No, sir; I remember how that name looked, the plainest on the ticket; that and W. H. Horton were together. I knew Horton, and felt an interest in him.

O. E. SHERMAN.

AMOS FOX sworn and examined.

By W. W. AMES, Esq.:

Question. What is your name?—Answer. Amos Fox.

Q. How old are you?—A. I was seventy-two the 23d day of last December.

Q. Where do you reside?—A. I live in Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I came to this place in 1835. If I count right that makes forty-four years.

Q. What is your occupation?—A. Farming and raising stock.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person as candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name? If so, state it.—A. If I mistake not, it is Seth.

Q. Do you remember whether there was a middle letter in his name; and, if so, what?—A. As for that, I seen his name in the paper; as for that, whether there is a middle letter or not, I am not positive; it seems as though there was.

Q. Do you know William Vibbert?—A. I don't know as I do.

Q. Do you know the Wadsworth place?—A. Yes, sir; I do.

Q. What township is that in?—A. I don't know as I can tell you that.

Cross examined by GEORGE R. DIXON:

Q. Hasn't your memory failed you a little of late years, as you grow older?—A. Not as I know of. I consider it sharp enough for a lawyer or any other man.

Q. Why did you say in answer to the question just put to you that you were sharp enough for a lawyer or anybody?—A. Because it is my meaning, and I consider I am.

Q. Isn't it generally true that the memory of men seventy years of age is not as clear and as accurate as the memory of the same men forty years of age?—A. Yes, sir; but there are some exceptions; some lose their memory when they are young, and some never have any.

Q. Did you prepare the ticket you cast on November 5, 1878?—A. I did, and read it, and voted it, too, of course.

Q. To what political party did you belong on November 5, 1878?—A. To the Greenback party. I voted the Greenback ticket.

Q. Do you remember and can you swear positively to the name in full of the candidate for Congress for whom you voted?—A. Yes, sir; I voted a Yocum ticket in full.

Q. You own property, do you not, in Horton Township?—A. Yes, sir.

Q. You pay taxes regularly every year, do you not?—A. Yes, sir.

Q. Does the assessor come to your house every year and assess you?—A. Yes, sir.

Q. Have you seen and read recently the name of the Greenback candidate for Congress in question?—A. Yes, sir; I saw it and read it.

Q. You read it on the subpoena, which summoned you here, did you not?—A. Yes, sir.

Q. Isn't your recollection of the name in question from its appearance on the subpoena spoken of by you?—A. My memory is stronger than that. I remember it from the election on, and read it in the papers since that.

Q. As you remember, then, you voted for the Greenback candidate who was named on your ticket, Seth Yocum, did you not?—A. Yes, sir; that is the candidate I voted for.

AMOS FOX.

THOMAS BLAIR sworn and examined by W. W. AMES, Esq.:

(The counsel for contestant objects to Thomas Blair, who was just produced and sworn, giving any testimony before this commission to-day, because no notice that he would be produced and sworn to give testimony in the case now pending, and to-day, has been served upon the contestant by the contestee.)

Question. What is your name?—Answer. Thomas Blair.

Q. State whether or not any other person or persons reside or did reside in Horton Township named Blair November 5, 1878?—A. I don't know of any.

Q. How old are you?—A. Thirty years old.

Q. Where do you reside?—A. I stop in Elk County now.

Q. Do you know what township?—A. Horton Township, State of Pennsylvania.

Q. Where did you reside November 5, 1878?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there before the election November 5, 1878?—A. Thirteen months.

Q. What is your occupation?—A. Day's laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Hoyt—that's a mistake, I guess, a mistake in the name—Yocum in place of Hoyt.

Q. Do you remember Yocum's given name; and if so, what was it?—A. I don't know.

Cross-examined by George R. Dixon, Esq.:

Q. Where were you born—A. In Butler County, State of Pennsylvania.

Q. Are you a married or single man?—A. Married.

Q. When did you come into Elk County to live?—A. On the first of October, 1877.

Q. Did you move then with your family into Horton Township?—A. Yes, sir.

Q. Did you live there with your family until November 5, 1878?—A. Yes, sir.

Q. What part of Horton Township did you live in during the summer and fall of 1878?—A. On Toby farm?

Q. Did you in the fall of 1878 work at lumbering?—A. I worked a little while at lumbering in November.

Q. Did you work any for W. H. Horton in the fall of 1878?—A. I did not.

Q. To whom did you pay tax in the year 1878?—A. To Mr. Burchfield?

Q. When did you pay Mr. Burchfield?—A. I don't know just exactly when.

Q. Can you tell about when?—A. I think it was about the middle of September.

Q. Wasn't it about the middle of October, 1878?—A. I don't think it was.

Q. Do you say on your oath that it was before the tenth of October that you paid the tax in question?—A. Yes, sir.

Q. Did you pay Mr. Burchfield yourself personally?—A. I didn't pay it to Mr. Burchfield.

Q. Was Mr. Burchfield the collector of State and county tax in the year 1878 for Horton Township?—A. I think he was, or he wouldn't have been after tax.

Q. Then you say that you never paid Mr. Burchfield, the collector for Horton Township, a State or county tax in 1878?—A. I didn't pay him.

Q. Was any other man than Mr. Burchfield collector of State and county tax for Horton Township in 1878?—A. I don't know of any.

Q. Were you assessed?—A. Yes, sir.

Q. Who assessed you?—A. Mr. Burchfield.

Q. Did he assess you in 1878?—A. I was assessed in 1878, but I don't know what the assessor's name was.

Q. Were you assessed in 1877 in Horton Township?—A. Can't tell you.

Q. With what were you assessed in 1878?—A. I don't know what I was assessed with.

Q. Did the assessor come to your house and assess you?—A. He came there, but I wasn't there.

Q. Then you don't know to a certainty whether he assessed you or not, do you?—A. That was his business there, and I suppose he could assess me without my being there.

Q. Did the assessor ever tell you personally that he had been at your house and had assessed you in 1878 in Horton Township?—A. I don't know as he did, but he left me a notice there; a notice for something.

Q. Was it the assessor's notice of your assessment?—A. It was a notice that had the amount of the tax on that I was to pay.

Q. Do you say that you know positively that you voted for any candidate for Congress on November 5, 1878?—A. Yes, sir.

Q. You were a republican in politics in the fall of 1878, were you not?—A. I didn't vote the republican ticket straight through.

Q. Did you prepare your own county ticket?—A. Yes, sir.

Q. The candidates on that ticket were chiefly Republicans in politics, were they not?—A. Some of them were and some were not.

Q. The way you prepared the county ticket you voted was by taking a Republican ticket and pasting certain names of the candidates in other parties upon it, was it not?—A. Yes, sir.

Q. You pasted the name "Yocum" upon that ticket, did you not?—A. I don't know whether that was printed on or whether I pasted it on?

Q. For what office was Yocum a candidate?—A. He was representative for this district,

Q. You voted, then, simply Yocum for representative for this district to the State legislature, did you not?—A. If that is what he was running for, that is what I voted for.

Q. Don't you know that he, Yocum, was running as a candidate for membership in the State legislature?—A. I believed he was.

Q. Then you now say that you voted for Yocum to be a member of the State legislature, do you not?—A. I voted for Yocum, if that is the office he is running for.

Q. Yocum's full name, or the full name of the candidate for representative in the State legislature for whom you voted was C. A. Yocum, was it not?—A. I don't remember.

Q. Isn't that your impression?—A. Well, I don't remember his first name.

Q. Do you live in Jefferson County now?—A. I can't tell you now, it is so close to the line that I don't know which county it is in.

Q. When did you move from the Toby farm?—A. In November, 1878.

Q. What time in November, 1878?—A. Well, about the sixteenth.

Redirect:

Q. For whom did you vote for Representative to Congress, November 5, 1878?—A. Mr. Yocum, I believe.

Q. Who paid the tax spoken of by you in your cross-examination to Mr. Burchfield?—A. I put the money in a letter and sent it by mail to Mr. Burchfield.

Q. State whether or not Mr. Burchfield ever acknowledged to you the receipt of that money.—A. Yes, sir.

Q. In what manner did he so acknowledge it, by word of mouth or otherwise?—A. He gave me a receipt.

Q. Have you that receipt with you?—A. Yes, sir.

Q. Look at that receipt and give the date.

(Counsel for contestee withdraws above question.)

Recross-examined:

Q. Have you in your possession at the present time a receipt for the tax which you allege to have paid in Horton Township, in 1878, which is signed by Burchfield, collector?—A. Yes, sir.

Q. What is the date of that receipt?—A. November 5, 1878.

Q. Did you receive the receipt for the tax you allege to have paid in Horton Township, to Thomas Burchfield, on November 5, 1878?—A. Yes, sir.

Q. Did you see him write that receipt?—A. I don't know as I did.

Q. He wrote it at the election house in Horton Township, on election day, November 5, 1878, did he not?—A. I don't know as he did.

Q. Was the ink with which the receipt was written completely dry on the receipt when he gave it to you?—A. I didn't look at it to see whether the ink was dry on it or not.

Q. Had the receipt in question been folded before he gave it to you?—A. Yes, sir.

Q. He gave it to you in the election house in Horton Township, did he not?—A. Yes, sir.

Q. This receipt was the acknowledgment of the payment of your tax, wasn't it?—A. Yes, sir.

Q. Was your vote challenged at the polls in Horton Township on November 5, 1878?—A. No, sir.

THOMAS BLAIR.

JAMES PHALEN sworn and examined.

By W. W. AMES, Esq.:

Question. What is your name?—Answer. James Phalen.

Q. How old are you?—A. I couldn't just exactly tell; somewhere between thirty-five and thirty-six.

Q. What is your occupation?—A. Farmer.

Q. Where do you reside?—A. I reside in Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Well, I have lived in Horton Township about ten years.

Q. Are you a citizen of the United States, and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district, November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. Seth H. Yocum.
No cross-examination.

JAMES PHALEN.

DAVID BENNETT sworn and examined.

By W. W. AMES, Esq.:

Question. What is your name?

(Counsel for contestee discharges the witness without examination.)

WESLEY YALE sworn and examined.

By W. W. AMES, Esq.:

Question. What is your name?—Answer. Wesley Yale.

Q. How old are you?—A. I was thirty the 14th of last October.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since 1861 I have been there.

Q. What is your occupation?—A. Common laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. I have paid it within two years.

Q. Did you vote in Horton election district at the general election there held, November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir, I voted.

Q. For whom did you vote for said office?—A. For Yocum; Seth Yocum.

Q. Do you remember whether or not Seth Yocum had a middle letter to his name, and, if so, what was it?—A. I don't know as I can answer that question.

Q. Did he have any middle letter to his name?—A. He certainly must have had, but I can't specify the name of the letter.

Cross-examined by George R. DIXON, Esq.:

Q. In what part of Horton Township did you reside in the fall of 1878?—A. I was to work on Bogy Run, a short distance from Brockport.

Q. Were you engaged in lumbering?—A. Yes, sir.

Q. For whom did you work at lumbering in 1878?—A. I worked for James Bennett.

Q. For whom was he jobbing?—A. For Short & Horton and McClellan.

Q. Did you prepare your own ticket that you cast in Horton election district on November 5, 1878?—A. No, sir; I didn't just exactly; Mr. Jack Allen prepared it in my presence.

Q. Can you read, Mr. Yale?—A. I can't read writing at all; by looking over print I can make out a little of it.

Q. Did you examine your ticket carefully immediately before you voted it on November 5, 1878?—A. Well, I looked over the ticket some—

Q. Don't you know that you did not vote for any one as a candidate for Representative in Congress?—A. I did.

Q. Was the name Seth Yocum printed or written upon a ticket you voted on November 5, 1878, in Horton district?—A. It was printed; I should call it printed if I know what print is.

Q. Did you read the name Seth Yocum on your ticket?—A. That is as near as I could make out the name, if it is not exactly right.

Q. Now, don't you know that Seth Yocum was not running as a candidate for Congress, but as a representative in the State legislature?—A. He was running on the Congress.

Q. Do you, on your oath, swear positively that you know you voted for Seth Yocum in Horton district November 5, 1878?—A. Yes, sir; I do.

Q. You voted the Greenback ticket chiefly, did you not?—A. Yes, sir.

Q. The names Warren H. Horton, Andrew G. Curtin, and Seth Yocum were on the ticket you voted, were they not?—A. I didn't see the whole of them names on—

Q. You saw the name Seth Yocum?—A. Yes, sir.

Q. You saw the name Andrew G. Curtin?—A. No, sir; I didn't.

Q. Are you positive about that last answer?—A. To the best of my knowledge I am.

Q. To whom did you pay tax within the last two years?—A. I don't remember exactly.

Q. Where did you pay tax?—A. In Horton Township.

Q. At what place in Horton Township?—A. I can't answer that question exactly.

Q. Did you yourself personally pay a tax?—A. Yes, sir.

Q. How is it that you know you paid a tax and don't know where or when?—A. Because I have forgotten just when I did pay my last tax.

Q. Did you take a receipt for this tax in question?—A. It is 'most impossible for me to tell whether I did or not until I'd go home and have some of my tax receipts looked over.

Q. Don't you know that the tax in question was a road and poor tax?—A. Yes, sir; I have paid a road and poor tax.

Q. Were you assessed?—A. I believe I was.

Q. Who assessed you for the tax in question?—A. I disremember exactly when it was.

Q. Do you remember who assessed you?—A. I don't.

Q. Did the assessor come to your house at any time and assess you?—A. Yes, sir.

Q. When?—A. I don't just remember, but this winter some time I think, or this fall.

Q. Did the assessor come to your house and assess you for the tax in question?—A. I can't answer that question.

Q. You remember, don't you, that you were assessed for the tax in question about the middle of September or along in October, 1878?—A. I don't remember being assessed at that present time.

Q. Mr. Yale, do you know of your own knowledge that you were assessed before November 5, 1878?—A. Yes, sir.

Q. About when did this assessment take place; wasn't it in the fall of 1878?—A. I disremember exactly what time it was.

Q. What is your impression about the date of the assessment?—A. I don't understand the question, so I can't answer it.

Q. What is your impression as to the date when this road tax was paid?—A. I don't remember the date exactly.

Q. You don't swear to the date of the payment of any tax or the date of the assessment of any tax, do you?—A. It is a pretty hard matter to swear to these dates; I don't just remember.

Redirect:

Q. Did you pay any other tax than poor or road?—A. Yes, sir.

Q. What tax was it?—A. State and county.

Recross-examined:

Q. Can you swear to the time or date when you paid the State and county tax which you alleged to have paid in your redirect examination?—A. No, sir; I can't swear to the date.

his
WESLEY + YALE.
mark.

Witness: M. S. KLINE.

JAMES BENNETT sworn and examined.

By W. W. AMES, Esq.:

Question. What is your name.—Answer. My name is James Bennett.

Q. How old are you?—A. I am thirty-three years old the 10th day of next month.

Q. Where do you reside?—A. At Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I have lived there twenty-eight years.

Q. What is your occupation?—A. Well, farming, lumbering, and a little of everything.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I think so. I was born in Westmoreland County, State of Pennsylvania.

Q. Have you paid a State or county tax within two years which was assessed not less than two months and paid not less than one month before November 5, 1878?—A. Well, sir, I paid taxes in 1877 and in 1878 both.

Q. Did you vote at the general election held in Horton's district November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. Well, sir, I voted for Seth H. Yocum.

Cross-examined by GEORGE R. DIXON:

Q. Did you work at lumbering more or less in the summer or fall of 1878?—A. No, sir; I don't think summer time is the time to lumber—fall and winter is the time to lumber.

Q. Did you lumber any in the fall or winter of 1878?—A. Yes, sir; I did.

Q. For whom?—A. For Short and Horton and McClellan.

Q. Are you a property or real-estate owner?—A. No, sir; I ain't.

Q. Are you assessed regularly every year?—A. Yes, sir.

Q. Does the assessor come to you personally and assess you?—A. He has for two years past.

Q. Did you yourself personally, with money, pay the collector the amount of your tax in 1877 and 1878?—A. Yes, sir.

Q. Did you take receipts of the collector therefor?—A. Yes, sir; I did.

Q. Did you prepare the ticket you voted in Horton district on November 5, 1878?—A. Yes, sir; I prepared it myself.

Q. Of whom or where did you obtain the ticket?—A. I found them in the election house on the desk.

his
JAMES + BENNETT.
mark.

Witness: M. S. KLINE.

Not being able to complete the taking of said depositions, by consent of parties I adjourned the further taking of the same to to-morrow, Saturday, March 15, 1879, at eight o'clock in the forenoon at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Saturday, March 15, 1879.

Pursuant to adjournment we met and continued the further taking of said depositions, as follows:

Present, George R. Dixon, counsel for contestant, and W. W. Ames, counsel for contestee.

JACKSON ALLEN sworn and examined.

By W. W. AMES, Esq. :

Question. What is your name ?—Answer. My name is Abram Jackson Allen.

Q. How old are you ?—A. Twenty-nine years old.

Q. Where do you reside ?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there ?—A. Two years and upwards.

Q. What is your occupation ?—A. Laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania ?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878 ?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district, November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania ?—A. Yes, sir.

Q. For whom did you vote for said office ?—A. Seth. H. Yocum.

Q. Are you acquainted with Wesley Yale ?—A. Yes, I am acquainted with him.

Q. Did you see him at the election house at Horton election district November 5, 1878 ?—A. I believe I did.

Q. State whether or not you made up his ticket for him at that time.

—A. Well, now, I don't know whether I did or not.

Q. What political party were you identified with at that time ?—A. National Greenback Party.

Q. What kind of tickets were you preparing, if any, that election day ?—A. Greenback tickets principally.

Cross-examined by GEORGE R. DIXON, Esq. :

Q. Where were you born, Mr. Allen ?—A. Canisteo, State of New York.

Q. When did you take up and begin to have a residence in Horton Township ?—A. I came to Horton Township in 1871. I haven't been here all the time.

Q. Since what time have you had a continual residence in Horton Township ?—A. Since January, 1877.

Q. Are you a married man ?—A. Yes, sir.

Q. Has your family been in Horton Township since January, 1877 ?—A. Yes, sir.

Q. Were you assessed, Mr. Allen ?—A. Yes, sir.

Q. When, prior to November 5, 1878 ?—A. I was assessed in 1877, and in 1878 both.

Q. Who assessed you in 1877 in Horton Township ?—A. The assessor. I don't know who he was. I can't remember.

Q. Did he come personally to your house and assess you ?—A. No.

Q. Did he come to you anywhere in 1877, in Horton Township, and assess you ?—A. Yes, sir.

Q. Where ?—A. At the sawmill where I was to work—at Bogy Mill.

Q. Can't you state when you were assessed in 1877 ?—A. I don't know ; couldn't say when it was.

Q. To whom did you pay a tax assessed at the place in question ?—A. G. W. Clinton.

Q. Now, don't you remember that G. W. Clinton came to you at Bogy Mill and assessed you for the tax in question?—A. No; not in 1877, I don't.

Q. Where did you pay the tax you allege to have paid in 1877?—A. I don't know as that makes any difference in this thing; I don't know.

Q. How did you pay the tax you allege to have paid in 1877?—A. Well, Short & Horton paid the tax and charged it to me on the books.

Q. Did you see Short & Horton pay said tax?—A. No.

Q. Then you don't know personally of your own knowledge that Short & Horton did pay the tax, do you, only what they told you?—A. No, I don't.

Q. Were you not working for Short & Horton in the summer and fall of 1878?—A. Yes.

Q. You said that you were assessed in 1878; was that in Horton Township?—A. Yes, sir.

Q. Do you remember who assessed you in 1878?—A. Yes; G. W. Clinton.

Q. How did you pay the tax with which Clinton assessed you in 1878?—A. Short & Horton paid it, I think.

Q. Did you see Short & Horton pay the tax in question?—A. Yes.

Q. Where did you see Short & Horton pay said tax?—A. In Short & Horton's store.

Q. When?—A. I don't know at what time exactly.

Q. Can you swear at all to the time when you allege Short & Horton paid said tax?—A. No.

Q. Was your vote challenged at Horton election polls on November 5, 1878?—A. No, sir.

Q. To whom did you see Short & Horton pay said tax in Short & Horton's store in 1878?—A. To the tax collector.

Q. What was the name of the tax collector?—A. Thomas Burchfield.

Q. Did you see Short & Horton pay Thomas Burchfield said tax in money?—A. Yes, sir.

Q. Wasn't it Short & Horton's scrip with which this payment was made?—A. I said money; scrip ain't money.

Q. Did you see Short & Horton then and there take a receipt for said money paid Burchfield?—A. Yes, sir.

Q. It was a receipt to Short & Horton, was it not?—A. No, sir.

Q. Now, how is it that you allege to remember where and how this transaction took place, and allege not to remember in any way the time?—A. Because I got the receipt.

Q. You took an active part, did you not, in the political campaign in Horton Township in the fall of 1878?—A. Yes, I did.

Redirect:

Q. To whom was the receipt given that you spoke of as being given at the time you saw the tax of 1878 paid by Short & Horton in their store?—A. To A. J. Allen; that is me.

Q. State whether or not you paid Short & Horton the amount of that tax.—A. I did.

Q. State whether or not you adopted the tax payment made by Short & Horton for you in 1877.—A. I did.

Q. Did you pay Short & Horton the amount of that tax?—A. I did.

Recross-examined:

Q. In what did you pay Short & Horton the amount of the tax you allege they paid for you in 1877?—A. In work.

Q. Have you settled your accounts with Short & Horton, or do they stand open and the account running at the present day?—A. I have an account with Short & Horton to-day.

Q. Did you have an open and running account with Short & Horton in September, 1878?—A. Yes.

Q. Did you have an open and running account with Short & Horton the middle of October, 1878?—A. Yes.

Redirect:

Q. Did you settle with Short & Horton at any time since the payment of your taxes made by them in 1877?—A. Yes, sir.

Recross-examined:

Q. At the settlement you allege to have had with Short & Horton, were the accounts between you squared and a balance struck?—A. I don't know whether the last time I settled with Short & Horton the books were squared or not; but I know they have been since the tax was paid.

Q. Were the accounts between Short & Horton and you squared and a balance struck since the tax in question was paid and prior to October 10, 1878?—A. Yes, sir.

Q. Didn't you owe, at the time of the settlement you allege to have had, the firm of Short & Horton?—A. Since the tax has been paid the books have been squared and I didn't owe them a cent.

Q. Didn't you owe, at the time of the settlement you allege to have had, the firm of Short & Horton?—A. No.

A. J. ALLEN.

REUBEN IDDINGS sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Reuben Iddings.

Q. What is your age?—A. My age is twenty-two years old the 29th of this month.

Q. Where do you reside?—A. I reside now in Horton Township, Elk County, Pennsylvania.

Q. Did you reside there November 5, 1878?—A. Yes, sir.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Well, sir, I think I voted for Mr. Yocum.

Q. Do you remember his given name?—A. I think it is Seth, is it not?

Q. Do you know whether Seth Yocum that you voted for had a middle letter in his name?—A. Yes, sir.

Q. What was that letter?—A. H.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Do you know Lewis Iddings?

(Objected to by counsel for contestee as not cross-examination.)

A. Yes, sir.

Q. Did you vote on age at Horton election poll on November 5, 1878?—A. Yes, sir.

Q. When were you born?—A. I was born in 1857.

Q. Is Lewis Iddings your father?—A. Yes, sir.

Q. Was your name on the registry on November 5, 1878?

(Objected to by counsel for contestee as incompetent, the registry itself being the best evidence, and no proof of its loss or destruction.)

A. Yes, sir.

Q. Was your vote challenged in Horton district November 5, 1878?—

A. No, sir.

Q. Now, do you know of your own knowledge, and do you swear to a certainty, that you were twenty-one years of age and not twenty-two on November 5, 1878?—A. Yes, sir.

Q. How do you know of your own knowledge how old you are?—A. Well, sir, I think because my mother always taught me that; that is the only reason I have.

Q. Then you say, do you not, that all the knowledge you have in regard to your age is hearsay?—A. Yes, what I heard from my folks—what I have seen where it is wrote down in the Bible.

Q. Who prepared your ticket that you cast at Horton election polls November 5, 1878?—A. Mr. Joseph Chamberlain.

Q. To what political party did Mr. Joseph Chamberlain belong in the fall of 1878?—A. Well, sir, as for that I can't tell.

Q. Did you, yourself, examine carefully the ticket you voted on November 5, 1878, immediately before you cast it?—A. I don't think I did immediately before I cast it.

Q. Did you examine the State and county tickets carefully, all through, before you voted them?—A. Well, I read them over a couple of times, and that is all I did do.

Q. Do you know now that you voted for any one as a candidate for Representative in Congress?—A. Well, I think I do.

Q. On your oath, do you now swear that you know you positively did vote for a person for Representative in Congress on November 5, 1878, in Horton election district?—A. Yes, sir; I do.

Q. Was the name of the candidate for whom you voted written or printed upon the ticket?—A. It was printed.

B. Don't you know that it was a printed paster that contained the name of the candidate and which was placed upon the ticket?—A. Well, I can't say; but I know it wasn't wrote.

Q. You belonged to the Republican party, did you not?—A. Well, I think I did.

Q. Did you see the words "for Congress" on the ticket you voted?—A. Yes, sir.

Q. Were they above or below the name "Seth Yocum" on the ticket?—A. Why, they were above.

Q. Then you voted, you are sure, for Seth Yocum for Congress?—A. Yes, sir; I think I am sure.

Redirect:

Q. Was there a middle letter to that name, and if so, what?—A. H, I think.

REUBEN IDDINGS.

WILLIAM BARRON sworn and examined, by W. W. AMES, Esq.:

Question. What is your name?—Answer. William Barron.

Q. What is your age?—A. Thirty-three years.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Six months, the last time—a little over.

Q. Where did you reside November 5, 1878?—A. Horton Township.

Q. How long had you resided in Horton Township at that time?—A. From the 25th of August.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Seth Yocum.

Q. Do you remember whether Seth Yocum had any middle letter to his name?—A. I think it was H, but I don't know.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. What is your business?—A. Lumbering.

Q. Did you not work, more or less, in 1878 for Short & Horton?—A. Yes, sir.

Q. You examined your ticket carefully, did you not, immediately before you voted it at the polls in Horton Township on November 5, 1878?—A. Yes, sir.

Q. From whom or what place did you obtain the ticket mentioned?—A. I had quite a number of them myself, and I picked it out of those I had; they were given to me in the morning by some person, I don't know who.

Q. You had several kinds of tickets, did you not?—A. Yes, sir.

Q. Might you not possibly have voted under those circumstances for some other man for Congress than Seth Yocum?—A. No, sir.

Q. Then you are quite positive, are you, that you did vote for Seth Yocum for Representative in Congress?—A. Yes, sir.

Q. To whom did you pay tax in Horton Township in the year 1878?—A. Mr. Horton paid it for me to Thomas Burchfield.

Q. Do you mean Mr. Warren H. Horton?—A. Yes, sir.

Q. Did you see Mr. Warren H. Horton individually pay your tax to Thomas Burchfield?—A. No, sir.

Q. You were working about that time for Mr. Warren H. Horton, were you not?—A. Yes, sir.

Q. Then you don't know except what you may have heard about it that Warren Horton paid Mr. Burchfield the tax you speak of, do you?—

A. All I know about it Mr. Burchfield gave me a receipt, and I saw it charged to me on the books.

Q. Can you give the date of the receipt you allege to have received from Thomas Burchfield?—A. Yes, sir.

Q. Please give the date.—A. October 1, 1878.

Q. Did you not have a running and an open account at the time this receipt is dated with Warren H. Horton?—A. Yes, sir.

Q. Did you not have an open and running account with W. H. Horton all through the month of October, 1878?—A. Yes, sir.

Q. Were the accounts between you and Warren H. Horton squared and a balance struck any time between October 5 and November 1, 1878?—A. No, sir.

Q. Mr. Barron, when were you assessed for the tax, the payment of which was receipted on October 1, 1878?—A. I think about the first of September.

Q. Wasn't the assessment in question made about the sixth or between the sixth and tenth of September, 1878?—A. No, sir.

Q. Can you now swear positively as to the exact date the assessment in question took place?—A. No, sir.

Q. Who was the assessor who assessed you in the fall of 1878?—A. I think my name was handed in at the commissioners' office.

Q. Do you remember whether the assessor came to you in person and took your name and assessed you?—A. Yes, sir.

Q. Where did he meet you for this purpose?—A. He didn't meet me.

Q. You said that he came to you, took your name and assessed you; where did this take place?—A. I didn't say that he did.

Q. Then he never came to you and assessed you, did he?—A. He came to me and told me that I was assessed.

Q. When he came to you and told you that you were assessed it was some time about or near the middle of September, 1878, wasn't it?—A. No, sir.

Q. About when did he tell you that you were assessed?—A. The evening of the third of September.

Q. With what were you assessed?—A. With no property.

Q. When you came into Horton Township, August 25, 1878, where did you come from?—A. From Clearfield County.

Q. Have you a family?—A. Yes, sir.

Q. Did your family move with you into Horton Township the very day you came, namely, August 25, 1878?—A. Yes, sir.

Redirect:

Q. How did Mr. Horton come to pay your tax?—A. I don't know.

Q. State whether you adopted that payment and repaid Mr. Horton.—A. Yes, sir.

Q. State whether or not you paid State or county tax in 1877.—A. Yes, sir.

Recross-examination:

Q. Did you personally pay the tax you allege to have paid in 1877?—A. Yes, sir.

Q. Did you take a receipt therefor?—A. Yes, sir.

Q. Didn't Mr. W. H. Horton pay the tax you speak of in 1877?—A. No, sir.

Q. Were you living in Horton Township in 1877?—A. No, sir.

Q. Were you assessed for the tax in 1877?—A. Yes, sir.

Q. The tax you paid was it not a road and poor tax?—A. No, sir; not the State and county tax wasn't. I paid the road and poor tax, though.

Q. Did you not take an active part in the political campaign in Horton Township in 1878?—A. No, sir.

WM. BARRON.

Not being able to complete the taking of said depositions, by consent of parties I adjourned the further taking of said depositions till Monday, March 17, 1879, at eight o'clock in the forenoon, at the same place.

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
March 17, 1879.

Having met pursuant to adjournment, we proceeded with the further taking of said depositions.

Same attorneys present.

JOSEPH B. PAULEY sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Joseph B. Pauley.

Q. What is your age?—A. I was born in 1848, January 21.

Q. Where do you reside?—A. On the head of Brandy Camp, Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Well, I have resided in Horton Township as long as it has been a township.

Q. What is your occupation?—A. Common laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I paid State and county tax a year ago this last summer, and the tax I think had been levied for 1870.

Q. State whether the levy you just spoke of was in 1870 as mentioned above.—A. Well, I think then is when the tax was levied—was in 1870.

Q. Well, sir, did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Did you prepare your own ticket which you cast at the polls in Horton Township on November 5, 1878?—A. No, sir; I don't think that I did. I don't think I did.

Q. Did you vote a mixed or a straight party ticket?—A. I voted a mixed ticket.

Q. To what political party did you belong in the fall of 1878?—A. My politics is Republican—was the fall of 1878.

Q. Don't you know that the Republican tickets in Horton Township in the fall of 1878 were not printed with the name of any candidate for Congress upon them?—A. No, sir; I don't know they were not.

Q. Wasn't the name of the candidate for Congress for whom you allege to have voted put upon your ballot with a paster?—A. No, sir; I think not.

Q. Do you positively say now that you know it was not placed upon your ticket with a paster?—A. To the best of my knowledge I don't think it was a paster.

Q. Did you examine the whole of your ticket or tickets carefully before casting it or them at the polls in Horton Township on November 5, 1878?—A. I examined the ticket; I don't know how carefully I examined it.

Q. To whom did you pay tax in the year 1877 in Horton Township?—A. To Daniel Phalen.

Q. About when?—A. I paid that tax a year ago last summer; I think it was in June or July, somewhere along there, I paid that tax.

Q. Did you take then and there a receipt therefor?—A. No, sir, I did not.

Q. How did you pay the tax?—A. I paid him the money.

Q. Don't you know that Mr. Daniel Phalen was collector of poor, road, and school tax?—A. I think he was collector of State and county tax, and that was the tax I paid.

Q. Didn't you pay a road and poor tax to Daniel Phalen?—A. No, sir.

Q. On your oath, do you now say that you positively did pay to Dan-

iel Phalen, in Horton Township, in the year 1877, a State and county tax?—A. I paid tax to Daniel Phalen which I supposed to be a State and county tax, and I don't think Daniel Phalen was collector of any other tax, not that I know of.

Q. Do you know to a certainty that he, Daniel Phalen, was a collector of State and county tax?—A. I think he was.

Q. Did you see any one pay him a State and county tax?—A. I don't know as I did, and I don't know but what I did. I don't just remember whether I did or not.

Q. It is only your impression, then, that he, Daniel Phalen, was a collector of State and county tax?—A. Yes, sir; it is my impression that he was.

Q. It is only your impression, and you are not sure, that you paid Daniel Phalen a State and county tax?—A. I am sure I paid Daniel Phalen a tax, and it is my impression it was a State and county tax.

Q. Did you vote for Mr. Yocum for Representative to Congress or to the State legislature?—A. I voted for Yocum for Congressman.

Q. Did you see the word Congressman on the ticket you voted?—A. Well, I looked over the ticket; a man wouldn't be apt to miss it.

Q. You saw, then, on the ticket you voted in Horton Township, on November 5, 1878, "Seth Yocum for Congressman," did you not?—A. Well, I don't see it now, for I haven't got a ticket to look at; I suppose I see it then.

Q. You do remember, though, that you did vote for Seth Yocum, do you not?—A. Yes, sir; I remember of voting for Yocum.

Q. How is it that you remember the name of the candidate for whom you voted for Congress to be Seth Yocum?—A. Well, it is generally talked up that that is the man running on the Greenback ticket, and a man would naturally remember it.

Q. Isn't your recollection of the name Seth Yocum as the name of the candidate for Congress for whom you allege to have voted almost entirely from what you have heard talked since this contest began, and not from the ticket you voted?—A. Well, the ticket and the talk would keep a man in pretty good remembrance of it.

Q. Do you remember so well that you do now swear positively that you voted for Seth Yocum for Congress?—A. Seth H. Yocum was the name it is supposed I voted for.

Q. Was your vote challenged at the polls in Horton election district on November 5, 1878?—A. No, sir.

Redirect:

Q. State when the tax that you paid in 1877 was assessed; I mean what year?—A. I was thinking it was levied in 1877; I think it was.

Recross-examined:

Q. On what was this assessment made which you speak of as being made in 1877?—A. Well, the assessment, I suppose, was made on property, likely.

Q. Who assessed you?—A. I don't remember who assessed me.

Q. How do you know that anybody assessed you?—A. I know there was assessors around, and they asked me if I had any property, and my occupation, and said they were around assessing.

Redirect:

Q. State whether you were assessed annually.—A. Yes, sir.

Q. State whether or not you paid taxes annually prior to 1879?—A. I don't think there is a year since I have been a taxpayer but what I have paid my State and county tax, or ordered it paid.

JOUSEPH B. PAULEY.

SAMUEL PAULEY sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Samuel Pauley.

Q. What is your age?—A. Seventy-two the seventh day of last November.

Q. Where do you live?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Well, it is—I can't tell just exactly—it is somewhere about twenty years.

Q. What is your occupation?—A. Well, it is farming.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you know what his given name was?—A. I do not just recollect; my memory is not good as some.

Cross-examined by GEORGE R. DIXON:

Q. Did you prepare your own ticket that you voted at the polls in Horton election district on November 5, 1878?—A. No, sir.

Q. Can you see well without spectacles?—A. No, sir.

Q. You didn't have your spectacles with you at the polls in Horton election district on November 5, 1878, did you?—A. No, sir; I went off in a hurry and forgot them.

Q. Then, the reason why you did not prepare your own ticket which you cast at said polls on November 5, 1878, is because you did not have your spectacles with you, is it not?—A. Yes, sir. I got a man to make out my ticket.

Q. You can't see to read the names on a ticket without your glasses, then, can you?—A. No, sir.

Q. Then you don't really know of your own personal knowledge, but only from hearsay, that you voted for Mr. Yocum, do you?—A. No, sir; I don't know positively; he is the man I thought I voted for.

Q. You don't swear that you did positively vote for Mr. Yocum for Congress for the twentieth Congressional district of Pennsylvania?—A. I couldn't, not by my not reading it myself.

Q. To whom did you pay a State or county tax prior to the fall of 1878?—A. Mr. Burchfield.

Q. About when did you pay Mr. Burchfield said tax?—A. I don't recollect how long before the election it was.

Q. Did you take from Mr. Burchfield a receipt when you paid him said tax?—A. Yes, sir.

Q. Have you the tax receipt mentioned with you?—A. I haven't.

Q. Well, Mr. Burchfield saw you at the polls on November 5, 1878, and you paid him the tax then and there, didn't you?—A. No, sir; I paid it at my own house.

Q. Do you swear that you positively know said tax was paid by you before October 10, 1878?—A. I cannot say; I don't recollect what time it was; it was before election, but I don't know how long.

Q. The tax you paid Mr. Burchfield at your house was a road and poor tax, wasn't it?—A. No, sir; State and county tax, and the poor-tax I paid at the same time.

Redirect:

Q. Mr. Pauley, did you pay any State and county tax in 1878?—A. I don't recollect whether I did or did not.

Q. State whether or not you are a property owner, and for how many years you have been.—A. Yes, sir; about twenty.

Q. State the character of the property.—A. Real estate.

Q. Have you any personal property?—A. Not any.

Q. Had you on November 5, 1878, and for a year or two years prior to that?—A. Yes, sir.

Q. State whether or not you were assessed and paid taxes annually before November 5, 1878?—A. Yes, sir.

Q. Who prepared your ticket that you voted November 5, 1878?—A. Warry Horton.

Q. State whether or not he read that ticket to you before you voted it?—A. He didn't, not as I recollect of.

Q. What were Warry Horton's politics November 5, 1878?

(Objected to by counsel for contestant as incompetent and irrelevant.)

A. Greenback.

Recross-examined:

Q. Mr. Pauley, isn't the farm and real estate that you live on deeded to your wife?—A. Yes; the deed is to her.

Q. That farm that you live on was deeded to and became the property of your wife some time ago, did it not?—A. It was deeded to her.

Q. Then for two years and more past you individually have not owned real estate, have you?—A. No; not individually.

Q. The farm was assessed to Mrs. Pauley, was it not, ever since it was deeded to her?—A. Yes.

Redirect:

Q. What kind of personal property was it that you had?—A. One cow.

Recross-examined:

Q. The cow that you speak of, did it not belong to your wife; that is, wasn't she the owner of it?—A. No; no more than I was.

SAMUEL PAULEY.

DENNIS DONOVAN sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Dennis Donovan.

Q. What is your age?—A. I couldn't tell you that, sir; I have no record of it; I think I am over forty.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Well, I have no record of that; I think I have lived there thirty-three years—two years of that time I was in the West.

Q. What is your occupation?—A. Farming.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I think I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I can't tell just the date when I paid it, but I paid it before election.

Q. State whether you paid a State or county tax in the year 1877?—A. I did, sir.

Q. Did you vote at the general election held in Horton district No-

vember 5, 1878, for a candidate for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. I voted for Seth H Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Wasn't the name of the candidate for Congress on the ticket which you cast at the polls in Horton district on November 5, 1878, Seth A. Yocum?—A. I think there was an H. to his name after the Seth. I don't think it at all; I am sure there was.

Q. Where did you last see the name of the candidate for whom you allege to have voted for Congress?—A. I see it just now on this paper I have in my pocket.

Q. Haven't you referred to that paper which you say you now have in your pocket several times since you first obtained said paper and within the last few days?—A. I never looked at the paper since I got it until to-day—I wouldn't looked at it then but because you said there was A and I was pretty sure there was an H there, and looked at it to be sure.

Q. Didn't some one to-day have a talk with you as to what the full name of Yocum is?—A. Nobody talked to me much of anything about it. Somebody said, they will ask you his name. I asked some men what they was kept there so long for and they said they were asked a lot of questions—what the man's name was you voted for, and lots of other questions; they told me several other questions they were asked.

Q. When these persons to whom you refer told you that you would be asked before this commission the name of the candidate for Congress for whom you voted, you began to inquire what the full name of Yocum was, did you not?—A. No, sir; I didn't inquire of nobody what the full name was—I knew what it was.

Q. Do you now swear that you have, at this time, a distinct and clear remembrance as to the name of the candidate for Congress for whom you voted and that that remembrance is entirely from the ticket which you voted?—A. Well, it's no use asking me such foolish questions as that; if you have no better questions to ask than that, I will go home. I know the man's name from the ticket and read about him in the papers and seen the man before I voted for him, and heard the man's name called in Ridgway.

Q. Do you refuse to be further questioned before this commission?—A. No, sir; I don't refuse to answer any question that is a fair question.

Q. But you propose, do you not, to answer only such questions as you in your own judgment think are fair?

(Objected to by counsel for contestee as not being cross-examination, and having nothing to do with the case, and the witness not having refused to testify.)

A. I propose to answer any question unless I am asked a question over three or four times.

Q. To whom did you pay a tax prior to October 1, 1878?—A. I paid to George Clint or Clinton a tax.

Q. When did you pay it?—A. I paid tax to George Clint two years ago last fall.

Q. Two years ago last fall, 1878, was the time you paid the tax, was it not?—A. I paid tax, if I remember, to George Clint in 1877.

Q. Did the assessor personally come to you and assess you for said tax?—A. Yes, sir; he come to the house.

Q. Was your vote challenged at the polls on November 5, 1878, in

Horton election district?—A. No, sir; my vote was never challenged in this county.

Q. Did you examine your ticket carefully just before you cast it at the polls in Horton Township on November 5, 1878?—A. I did sir; read it.

DENNIS DONOVAN.

J. W. D. DELONG sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. J. W. Delong.

Q. What is your age?—A. Twenty-eight.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About twelve years.

Q. What is your occupation?—A. Common laborer.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I have.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person as Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. For Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. To whom did you pay the tax mentioned by you in your direct examination?—A. Thomas Burchfield.

Q. About when did you pay said tax?—A. Well, sir, I couldn't just tell you.

Q. Then you are not at all sure of the date on which you paid said tax?—A. No, sir.

Q. Wasn't it a road tax or a poor tax that you paid Mr. Burchfield?—A. No, sir.

Q. Are you at all sure as to the date when the assessment was made on you for said tax?—A. No; I am not.

Q. What is your impression as to the date of the assessment in question?—A. I couldn't tell.

Q. Was your vote challenged at the polls in Horton election-district on November 5, 1878?—A. No, sir.

Q. Did you carefully examine the ticket you allege to have voted just before you cast it on November 5, 1878?—A. Yes, sir.

Q. How is it that you remember the name of the candidate for Congress for whom you allege to have voted?—A. I seen it on the ticket, and I have read a little about it.

Q. Isn't your recollection of the name of the candidate for Congress for whom you say you voted entirely from the name Yocum as it appears on your subpoena, which summoned you here?—A. No, sir.

Q. Do you now on your oath say that you positively did vote for Seth Yocum for Congress?—A. Yes, sir; I did.

Q. Has any one had a conversation with you recently as to the name of said candidate?—A. No, sir.

Q. To what political party did you belong on November 5, 1878?—A. The Greenback party.

Q. Did you pay Mr. Burchfield personally said tax?—A. Yes, sir; I did.

Redirect :

Q. Had the Seth Yocum referred to in your cross-examination a middle letter to his name ; and, if so, what was it ?—A. H.

J. W. D. DELONG.

SCOTT ALDEN sworn and examined by C. E. LYMAN, Esq. :

Question. What is your name ?—Answer. Scott Alden.

Q. What is your occupation ?—A. Artist.

Q. Where do you reside ?—A. In Snyder Township, Jefferson County, Pennsylvania.

Q. Where did you reside on November 5, 1878 ?—A. Part of the day in Horton Township, near Brockport Mills, Elk County, Pennsylvania.*

Q. How long had you resided in Horton Township previous to November 5, 1878 ?—A. A year and about two months.

Q. Had you paid a State or county tax within two years previous, that had been assessed at least two months, and had you paid that tax at least one month before November 5, 1878 ?—A. I did.

Q. Did you vote at the general election on November 5, 1878, for a candidate for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania ?—A. I did.

Q. Are you a citizen of the United States and of the State of Pennsylvania ?—A. I believe I am.

Q. For whom did you vote for Representative in Congress for the twentieth Congressional district of Pennsylvania on the 5th day of November, 1878 ?—A. For Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq. :

Q. In what part of Horton Township did you reside in 1878 ?—A. It is near a saw-mill called Brockport Mill.

Q. You said that you were an artist ; what branch of art is your business ?—A. Photographer ; making ferretypes, photographs.

Q. Have you a family ?—A. Yes, sir.

Q. Was your family with you at Brockport Mills, in Horton Township in the year 1878 ?—A. A part of my family was.

Q. Haven't you in connection with your business a picture-car on wheels ?—A. No, sir.

Q. Do you say that your family and you had a residence continually in Horton Township in the year 1878 up to November 5 of the same year ?—A. I didn't have ; that is, I wasn't married to the woman I have now that length of time ; for that reason my family was not with me a year.

Q. Were you assessed in Horton Township the year that you allege to have been there ?—A. I was.

Q. Who assessed you ?—A. George Clinton.

Q. Did he come to you personally and assess you ?—A. Now, I don't know that he assessed me ; he had some books and he said he would put me down.

Q. You don't know then of your own knowledge that you were assessed in Horton Township by George W. Clinton ?—A. Well, I judge that he or some one else did ; I had to pay a tax.

Q. Can you now on your oath say that you know you were positively assessed in Horton Township by George W. Clinton ?—A. Well, if a fellow has got to see anything done before he can swear to it, I didn't see him do it.

Q. To whom did you pay tax in Horton Township in 1878?—A. Thomas Burchfield.

Q. Did you personally pay Thomas Burchfield a tax?—A. I did.

Q. In money?—A. Yes, sir.

Q. Give the date, if you can, on which said tax was paid by you?—A. I couldn't give the exact date; it was something like two months, I think, before election day; it might have been a little more and it might have been a little less.

Q. It is only your impression, is it not, that you paid Thomas Burchfield a tax about two months prior to November 5, 1878?—A. I know I paid it soon enough so that I had a right to vote, if that's what you are after.

Q. You say you paid the tax time enough before election so that you could vote; what was the time then that you paid it?—A. It was over thirty days before the election.

Q. Did you take a receipt at the time you allege to have paid the tax?—A. I did.

Q. Did you pay the amount of the tax directly into the hands of Mr. Burchfield or give the money to some one else to pay Burchfield?—A. I gave the money to Burchfield.

Q. Now, Mr. Alden, didn't your family go out of Horton Township into Snyder Township prior to November 5, 1878?—A. Yes, sir; they did; they went away, or my wife did, three or four or four or five days before to her uncle's on a visit, several days before the election, with the intention of coming back before we moved.

Q. You took or sent your goods out of the township prior to November 5, 1878, didn't you?—A. I did not.

Q. Didn't you have taken some of your goods out of the township before November 5, 1878?—A. No, sir.

Q. Did you examine your ticket carefully before you cast it at the polls in Horton Township, on November 5, 1878?—A. Well, I read it over several times, more or less.

Q. From whom did you obtain the ticket in question?—A. I couldn't tell you who I did get it of.

Q. You had several different kinds of tickets in your hands at times, did you not?—A. Nothing more than to read the ticket; I don't know that I carried any around with me only those I voted or the same kind I voted.

Q. Didn't some one tell you to-day or recently that you would be called upon to state here the name of the candidate for Congress for whom you voted?—A. No one. I don't think anyone told me I would be called upon to give the name.

Q. You have heard recently that before this commission witnesses were examined critically as to the name of the candidate for whom they voted, have you not?—A. Yes, sir.

Q. Do you swear that your recollection of the name of the candidate for Representative in Congress for whom you voted is entirely from the ballot which you cast?—A. Well, all I know about it is the initial; I couldn't say as it was exactly; I have heard it and seen it more or less before and since the election.

Q. Did your family in Horton Township consist of yourself and wife?—A. It did; that is all there was here.

Q. And your wife went out of the township three or four days before November 5, 1878, did she?—A. She did.

Q. Did she return to Horton Township before November 5, 1878?—A. No, sir; she was taken sick and didn't come back.

SCOTT ALDEN.

Not being able to complete the taking of said depositions, by consent of parties, I adjourned the further taking of the same till Tuesday, March 18, 1879, at eight o'clock in the forenoon, at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Tuesday, March 18, 1879.

Having met pursuant to adjournment, we proceeded with the further taking of said depositions. Present, George R. Dixon, esq., counsel for contestant, and W. W. Ames and C. E. Lyman, esqs., counsel for contestee.

HENRY HULET sworn and examined by W. W. AMES, esq.:

Question. What is your name?—Answer. Henry Hulet.

Q. What is your age?—A. Twenty-two.

Q. When were you twenty-two?—A. The 6th of last December.

Q. Where did you reside November 5, 1878?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Twenty-two years last 6th of December.

Q. What is your occupation?—A. Farming.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I should suppose I was.

Q. Did you vote at the general election held in Horton district, November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. You voted on age, November 5, 1878, in Horton election district, did you not?—A. Yes, sir.

Q. You voted on age in Horton election district before that, did you not?—A. No, sir.

Q. You voted on age in Horton election district since that time?—A. No, sir.

Q. In what year were you born?—A. 1857.

Q. Do you know when you were born?—A. A person don't know exactly, but from his father and mother he would suppose that is when he was born.

Q. When you said you were twenty-two years of age you meant, did you not, simply that you were told by your father and mother that you were twenty-two?—A. Yes, sir.

Q. Who prepared the ballots you allege to have cast at the polls on November 5, 1878?—A. I did myself.

Q. You had different kind of ballots in your hands when you prepared the ones you cast at said time, did you not?—A. No, sir.

Q. Where did you obtain said ballots?—A. On the desks.

Q. Give the location of said desks?—A. In the election house they were.

Q. In the election house where the polls were held in Horton election district, on November 5, 1878?—A. Yes, sir.

Q. You said that your business was farming, but you work at lumbering also sometimes, do you not?—A. Yes, sir.

Q. For whom, if any one, did you work at lumbering in 1878?—A. For Warry Horton.

Q. You examined your ticket quite carefully just before you voted in the fall of 1878, didn't you?—A. Yes, sir.

Q. Is your recollection of the name of the candidate for Representative for whom you allege to have voted from the ticket, or from what you have heard talked within the last few days?—A. Yes, sir; from the ticket.

Q. But you were posted and talked to as to the name before coming into this room to testify, were you not?—A. I heard of the name and heard them talking about it, but then I knew it before.

Q. Do you, on your oath, now swear that you know and are positive that you voted for the person whom you allege to have voted for Congress?—A. Yes, sir.

HENRY HULET.

JOHN BANDER sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. John Bander is my name.

Q. What is your age?—A. I was twenty-six years old the 27th day of last January.

Q. Where did you reside November 5, 1878?—A. I was in Horton Township, Elk County, this State.

Q. How long had you resided there?—A. For the last twelve years back.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I claim that I be.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I have.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. I can't tell you for certain; I am no scholar myself. I supposed I voted for Yocum.

Q. Do you remember Mr. Yocum's given name?—A. No, sir; I do not.

Q. What party ticket did you vote?—A. I voted the straight Greenback ticket through; I intended to.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. At what place or locality in Horton Township did you live in 1878?—A. I lived about a quarter of a mile above Short's store at that time.

Q. Was it Short's store or known as Short & Horton's store?—A. Short & Horton's I suppose it is now. It used to be Short's, and we always call it Short's store.

Q. What were you engaged in at that time?—A. Well, sir, I couldn't just exactly tell you what I was working at; I was working for Short & Horton at that time.

Q. To whom did you pay the tax you allege to have paid?—A. I paid State and county tax to George Clinton.

Q. Did you yourself personally pay George Clinton said tax?—A. I did.

Q. Did you pay it to him—that is, directly into his hands?—A. I did.

Q. Can you give the date? If so, give it.—A. I can't give the date; I would have fetched the receipts along if I had just thought of it.

Q. Were you, to your knowledge, assessed for said tax?—A. I wasn't as I recollect of. I think I was in the oil country at the time.

Q. Then you don't swear positively that you know you were assessed for said tax?—A. No, sir.

Q. Have you or had you a family in Horton Township in the year 1878?—A. Not of my own.

Q. You were a single man at that time, were you?—A. Yes, sir.

Q. Didn't you go out of Horton Township into the oil country and reside in the oil country in 1877?—A. I was working in the oil country in 1876, I believe, and 1877.

Q. You then don't swear that you positively did vote for any person for Representative in Congress at the polls in Horton district on November 5, 1878?—A. No, sir.

Redirect :

Q. State whether or not you paid taxes, State and county, in 1877.—A. I couldn't say for certain. I have paid taxes right along, and kept them paid up; they are all paid up but this year's.

Q. State whether or not you were a property holder November 5, 1878; and if so, how long had you been before that time?—A. I have not.

Q. State whether or not you had a home where stated in your cross-examination?—A. I keep my mother—that is, I keep the family, and they live down here at the French place.

Q. How long have you been keeping that family there with you?—A. For five years back.

Q. State whether or not you are keeping house.—A. Yes, sir.

Recross-examined :

Q. You said in your direct testimony that you were no scholar; what do you mean by that?—A. Well, what I mean by that, I neither can read nor write.

Q. Not being able to read or write, of your own personal knowledge, then, you really don't know but that you may have voted for Andrew G. Curtin for Representative to Congress on November 5, 1878?—A. I may have. I rather think that I didn't. The Greenbacks gave me the ticket.

Q. You don't swear to the date of any assessment nor to the date of the payment of a State or county tax by you, do you?—A. I don't recollect of the date, but I could have fetched you the receipts and showed you the date.

J. BANDER.

THOMAS HOOPER sworn and examined by W. W. AMES, Esq. :

Question. What is your name?—Answer. Thomas Hooper.

Q. What is your age?—A. Thirty-three, I think.

Q. Where do you reside?—A. Horton Township, Elk County Pennsylvania.

Q. How long have you resided there?—A. About three years; between three and four years, my residence has been there; my wife has been there four years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir. I was not born in this State, though.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Q. Are you acquainted with William Vibbert?—A. Yes, sir.

Q. State whether you saw him at the polls election day, November 5, 1878.—A. Yes, sir.

Q. State whether or not you prepared a ticket for him at that time for Representative in Congress.—A. Yes, sir.

Q. What was the name on that ticket for Representative in Congress?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what locality in Horton Township did you reside in the year 1878?—A. On the old Oyster farm.

Q. Did you not work at lumbering in that year?—A. Why yes, some; very little.

Q. At what place and for whom?—A. At Brockport Mills, and for Warren H. Horton.

Q. Were you in 1877 or in 1878 the owner of the old Oyster farm?—A. No, sir; and I am glad of it.

Q. Were you, to your own knowledge, assessed for the tax you allege to have paid?—A. Yes, sir.

Q. Who assessed you for said tax?—A. George W. Clinton, I think; yes it was, for the first assessment; the next assessment was by Walter Fudolph.

Q. Did these men come to you and assess you?—A. Yes, sir.

Q. With what were you assessed?—A. Nothing more than State and county tax and occupation tax.

Q. Didn't they assess you with a road tax?—A. Yes, they did too, with a road tax and a school tax.

Q. Can you give the dates of these assessments? If so, give them.—A. I can't do it.

Q. Then you cannot swear to the dates of said assessments?—A. No, sir.

Q. When did you pay said tax which you allege to have paid?—A. I can't tell you any date when I paid it; some time during the summer or in the summer months.

Q. To whom did you pay it—said tax?—A. I paid it to Thomas Burchfield, State and county tax.

Q. Did you personally and directly pay said tax to Thomas Burchfield?—A. Yes, sir.

Q. You didn't give the money into the hands of a third party to give Burchfield, did you?—A. No, sir.

Q. Did you take receipts for the taxes paid Burchfield by you?—A. Yes, sir.

Q. You say you prepared a ticket for William Vibbert on November 5, 1878. Are you positive?—A. Yes, sir; I am positive I prepared his ticket, but I aint positive he voted it.

Q. Then you don't swear that he voted the ticket you prepared for him?—A. No, sir.

Redirect:

Q. State whether or not you paid a State and county tax in 1877.—A. Yes, sir.

THOS. HOOPER.

LEWIS BOYINGTON sworn and examined by W. W. AMES, Esq. :

Question. What is your name?—Answer. Lewis Boyington.

Q. What is your age?—A. Fifty-two the 29th of this month.

Q. Where do you reside?—A. Reside in Horton Township, Bogy Run, Elk County, Pennsylvania.

Q. How long have you lived there?—A. About, off and on, for nineteen years—anyway some time.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months, and paid at least one month, before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. I supposed to vote for Curtin. I voted the Greenback ticket, but got it of a man; he was a Greenbacker; he voted the Greenback ticket, but he wanted Curtin's name on it.

Q. Who gave you that ticket?—A. Byron Butler. He wanted me to vote for Curtin, and I told him I would.

Q. Are you sure?—A. I suppose that it was correct that I voted for him.

Cross-examined by GEORGE R. DIXON, Esq. :

Q. You say you suppose you voted for Curtin for member of Congress at the polls in Horton Township on November 5, 1878?—A. Yes, sir.

Q. Curtin's full name is Andrew G. Curtin, is it not?—A. I don't know.

Q. Mr. Butler, who gave you your ticket, told you at the time that he wanted you to vote for Curtin for member of Congress, did he not?—A. Yes, sir.

Q. And you said you would do it, and took the ticket he gave you, and voted the same?—A. Yes, sir.

Q. He gave you to understand that Curtin's name was on the ticket when he handed it to you, didn't he?—A. Yes, sir.

Q. You voted at the polls in Horton election district on November 5, 1878, quite early in the morning, did you not?—A. No, sir; towards evening. I was to work in the woods, and came down there in the afternoon.

Q. Your vote was not challenged on that day, was it?—A. No, sir.

Redirect:

Q. Where does Byron Butler live?—A. He lives to Brockport here; worked for Warry Horton. His mother lived there for two years.

LEWIS BOYINGTON.

CHARLES HAYS sworn and examined by W. W. AMES, Esq. :

Question. What is your name?—Answer. Charles Hays.

Q. How old are you?—A. Twenty-five the 6th of next August.

Q. Where do you live?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. All my life.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I be.

Q. Have you paid a State or county tax within two years which was

assessed at least two months, and paid at least one month, before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name?—A. I do not.

Q. What ticket did you vote?—A. Greenback.

Cross examined by GEORGE R. DIXON, Esq.:

Q. To whom did you pay the tax you alleged to have paid?—A. George Clinton.

Q. It was a road tax and a poor tax, was it not?—A. No, sir; it was a State and county tax.

Q. Did you pay this tax to Clinton personally?—A. No, sir; Mr. Horton paid it for me when I was in the woods to work, and I paid it to him.

Q. You were working then at lumbering for Warren H. Horton?—A. Yes, sir.

Q. Did you see Warren H. Horton pay Mr. Clinton said tax?—A. No, sir, I didn't.

Q. You had an open and a running account with Warren H. Horton at the time, had you not?—A. Yes, sir.

Q. Then you don't know of your own knowledge, but only from hearsay, that the tax in question was paid?—A. I just got their word for it.

Q. About when were you assessed for said tax?—A. I don't remember.

Q. You don't swear, then, to the date of the assessment in question?—A. No, sir.

Q. Who assessed you, if any one?—A. George Clinton.

Q. The tax, then, that George Clinton assessed upon you, you say you paid to George Clinton?—A. Horton paid it and I paid it to him.

Q. You mean Horton told you he paid it, do you not?—A. Horton told me and Mr. Clinton told me he paid it.

Q. You told Warren H. Horton to charge you with the amount of the tax that he alleged to have paid Clinton for you, did you not?—A. I paid Horton the tax he paid for me.

Q. About when, or can't you swear to the date?—A. I cannot swear to the date.

Q. From whom did you get your ticket on election day, November 5, 1878?—A. From Jack Allen.

Q. He had several tickets in his hands that day, did he not?—A. Yes, sir.

Q. Did you vote, that you now remember, for any one for representatives in the State legislature?—A. Yes; sir, I voted for Yocum.

Q. For the office last above mentioned?—A. Yes, sir.

Q. Are you positive as to the matter?—A. Yes, sir.

Q. How is it that you remember the full name of Yocum and that you voted for him for representative in the State legislature?—A. I voted for Yocum.

Q. Was it not, as you now remember it, C. A. Yocum?—A. No, sir.

Q. Then you swear that you voted for Mr. Yocum and you cannot swear to the rest of the name of the candidate for whom you voted?—A. H. Yocum; I think that was the man I voted for.

Redirect :

Q. State whether you paid a State or county tax in 1877.—A. Yes, sir, I did.

Q. State whether you were assessed that year.—A. I think I must have been or I wouldn't have paid tax.

Q. For whom did you vote for Representative in Congress November 5, 1878?—A. Yocum.

Q. For what office, if any, was Warren H. Horton running at that time?—A. For Congress.

Q. Who was running for the State legislature at that election?—A. I don't know.

Q. What ticket did you vote at that election?—A. Greenback ticket.

Recross-examined :

Q. You voted for Warren H. Horton for the office for which you say he was running on November 5, 1878, at Horton election polls, did you not?—A. Yes, sir.

Q. Didn't Warren H. Horton pay the tax for you in 1877?—A. Yes, sir.

Q. You only have his word that he paid the tax for you in 1877?—A. His word and Mr. Clinton's word.

Q. The taxes paid by Horton were charged up to the parties for whom they were paid in the accounts he kept with them, were they not?—A. No, sir; I paid him the money.

CHARLES ^{his} + HAYS.
mark.

Witness: M. S. KLINE.

G. W. HUFFMAN sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. G. W. Huffman.

Q. What is your age?—A. I will be twenty-four the eleventh day of next December.

Q. Where did you reside November 5, 1878?—A. At Frantz's camp, in Fox Township, Elk County, this State.

Q. Have you ever resided in this township?—A. Yes, sir.

Q. When did you reside there?—A. Why, I have been stopping in Horton Township off and on for the last four years; I haven't been here regularly; I made it my home for the last four years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE DIXON, Esq.:

Q. You say that you paid a tax; to whom did you pay it?—A. Yes, sir; Burchfield is the one I paid the tax to.

Q. Was it a road and poor tax?—A. No, sir.

Q. Did you personally pay the tax to Mr. Burchfield?—A. Yes, sir.

Q. How was the payment made; in money or by some turn or trade?—A. The United States money.

Q. You took at the time a receipt, did you not?—A. Yes, sir.

Q. Your business in the year 1878 in Elk County was lumbering, to some extent, was it not?—A. Yes, sir.

Q. For whom were you laboring or jobbing?—A. For Jacob Frantz.

Q. For whom was he jobbing?—A. W. H. Horton.

Q. Do you remember of being assessed for the tax in question?—A. Yes, sir.

Q. If you remember and can swear to the date of the assessment, please do so.—A. No, sir.

Q. Then you don't swear at all to the date of said assessment?—A. No, sir.

Q. Did the assessor come to you and talk with you when he assessed you?—A. Yes, sir.

Q. You were boarding and working at Frantz's camp, in Fox Township, on November 5, 1878, and had been for two or three days previous, had you not?—A. Yes, sir.

Q. Mr. Huffman, were you at that time a married man?—A. No, sir.

Q. Can you swear at all to the date when you paid the tax in question to Mr. Burchfield?—A. No, sir.

Q. Do you remember the name of the candidate for Congress for whom you say you voted on November 5, 1878, from the ticket you voted or from something else?—A. Yes, sir; from the ticket.

Q. You examined the ticket you cast carefully, so as to remember, did you not?—A. Yes, sir.

Q. For what office did Mr. Yocum run on the ticket you voted?—A. I forget; I know, too.

Q. It was Representative in the State legislature, or was it some other office for which you voted for him?—A. I don't mind any more.

Q. You looked at one of the tickets last night, did you?—A. Yes, sir.

Q. For the purpose of knowing the full name of Yocum, did you not?—A. Yes, sir.

Redirect:

Q. State where you made your home in Horton Township for the four years spoken of by you in your direction examination.—A. James Dillion's.

Q. State whether or not you paid State or county tax in 1877.—A. Yes, sir.

Recross-examined:

Q. How long had you been residing at Frantz's camp, in Fox Township, when you came into Horton Township, on November 5, 1878, to vote at the general election there held?—A. Ten or twelve days.

Q. You had with you at Frantz's camp, in Fox Township, clothing and other personal equipments?—A. No, sir; nothing only what I wore at the time.

Q. You say, then, that you resided at this camp in Fox Township; had worked there and boarded there for ten or twelve days prior to election day?—A. Yes, sir.

Redirect:

Q. State whether you were working by the month or day at that time.—A. By the month.

GEO. W. HUFFMAN.

WILMER PRICE sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. Wilmer Price.

Q. What is your age?—A. Twenty-four years old the ninth day of last September.

Q. Where did you reside on the 5th day of November, 1878?—A. I can't tell that.

Q. Where do you now reside?—A. Brockport.

Q. How long have you resided at Brockport?—A. It will be eight years some time in April. I can't just tell the month.

Q. What county and State is Brockport in?—A. It's in Elk County and Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I am.

Q. Had you paid a State or county tax within two years that was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I have.

Q. Did you vote in Horton election district on November 5, 1878, for a person for the office of Representative in Congress for the twentieth Congressional district of Pennsylvania?—A. Well, I can't tell that; I didn't look at my ticket.

Q. Did you vote at the general election in Horton district on November 5, 1878?—A. Yes, sir; I did.

Q. Did you prepare your own ticket on that occasion?—A. No, sir; I didn't.

Q. Was the ticket you voted on the 5th day of November, 1878, prepared for you by your own order?—A. Yes, sir; it was.

Q. What was the order relative to that ticket given to the man who prepared it for you?—A. A Greenback ticket, of course.

Q. Do you know who was the candidate for Representative in Congress for the twentieth district of Pennsylvania upon the Greenback ticket on November 5, 1878?—A. Well, sir, I don't know, because I didn't look at my ticket.

Q. Who prepared your ticket on that occasion?—A. W. H. Horton.

Q. Did W. H. Horton tell you what that ticket was?—A. Yes, sir; he did.

Q. What did he tell you it was?—A. He told me it was the Greenback ticket.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Have you had a residence in Brockport for some time?—A. Yes, sir; I have.

Q. What are you engaged in?—A. Working on the sawmill.

Q. For whom did you work on the sawmill in 1878?—A. W. H. Horton.

Q. Are you a married man?—A. Yes, sir.

Q. Were you a married man in 1878?—A. Yes, sir.

Q. Did your family reside at Brockport continually during the year 1878?—A. Yes, sir.

Q. Brockport—is it not in Fox Township?—A. Yes; I guess it is.

Q. To whom did you pay tax in 1878?—A. Thomas Burchfield.

Q. Did you yourself personally pay the tax in question to Mr. Burchfield?—A. Yes, sir; I did.

Q. Didn't W. H. Horton tell you that he paid the tax and had charged you on his books with the amount of the same?—A. No, sir; I paid it myself.

Q. Can you swear to the date on which you paid the tax under consideration?—A. No, sir; I can't swear to the day—to the date.

Q. Then the only thing about said tax that you are certain of is that you paid it?—A. Yes, sir; I am certain that I paid it.

Q. How is it that you have forgotten the date and remember that you paid it?—A. Because I knowed I had to pay it then or not vote.

Q. You say you knew you had to pay it then or not vote; did you look the matter up as to the time when you must pay it or be deprived of your vote?—A. No, sir; I didn't look the time up.

Q. Then of your own personal knowledge, as far as you yourself know, you can't swear on your oath, here to-day, that you did positively pay that tax within the proper time as fixed by law?—A. Yes, sir; I paid the tax within the proper time; I can swear to that; but I can't swear to the date.

Q. What was the proper time as fixed by law?—A. Thirty days before the 4th of September.

Q. In 1878, did you mean?—A. I guess I am mistaken in thirty days—well, that's right; thirty days before the election in 1878.

Q. Weren't you quite recently told that you were correct in your statement that the time was thirty days?—A. Yes, sir.

Q. By whom?—A. By Thomas Burchfield.

Q. Weren't you told it in this room but a moment ago by one of the counsel who examined you directly?—A. Well, I have answered enough of questions for my share; well, I can't answer that because I don't know; well, this man (pointing at Mr. C. E. Lyman) told me it was right—thirty days.

Q. Who assessed you for said tax?—A. George Clinton.

Q. Did George Clinton come to you, talk to you, and then and there assess you?—A. Yes, sir; he talked to me and assessed me.

Q. Do you swear to the date on which the assessment took place?—A. Yes, sir; I can.

Q. Please give the date of the assessment.—A. I can't give the date of the assessment made.

Q. It was a road and poor tax with which Clinton assessed you, wasn't it?—A. Yes, sir.

Q. And it was this tax that you paid Mr. Burchfield, was it not?—A. Yes, sir.

Q. With what property, if any, were you assessed, or was it occupation only?—A. Occupation.

Q. Where were you born?—A. I don't know that.

Q. Are you a native of the United States, or are you a foreigner, to the best of your knowledge?—A. I am a native of this country, of this State.

Q. Were you in the election house in Horton district on November 5, 1878, when W. H. Horton gave you a ticket?—A. Yes, sir; I was.

Q. You say that you did not read your ticket; that is true, is it, to the best of your knowledge?—A. Yes, sir; I did say that; I did not read my ticket.

Q. Of course, then, you can't swear, can you, as to the contents of the ticket you voted?—A. No, sir; I can't.

Redirect:

Q. Did you on the 5th of November, 1878, at the general election in Horton Township, vote the ticket prepared for you by W. H. Horton at your request?—A. Yes, sir; I did.

By W. H. AMES, Esq.:

Q. State whether you paid State or county tax in 1877.—A. No, sir; I didn't.

Q. State whether you paid State or county tax in 1878.—A. Yes, sir; I did.

Q. How long have you been a housekeeper, keeping house at Brockport?—A. I have kept house for five years again the 13th day of June, but not at Brockport; I have kept house at Brockport, it will be two years next fall.

Recross-examined:

Q. In your redirect testimony you have again stated that you paid Mr. Thomas Burchfield a tax in 1878; now wasn't that, as you stated on cross-examination, a road and poor tax?—A. No, sir; it was occupation.

WILMER ^{his} + PRICE.
mark.

Witness:

M. S. KLINE.

A. L. MARTHERS sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. Abel Lester Marthers.

Q. What is your age?—A. I was born in 1826.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided in that township?—A. About ten years, as near as I can recollect; ever since it has been changed.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. I have.

Q. Did you vote at Horton election district on the 5th day of November, 1878, at the general election there held for a person for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania?—A. I have voted at every election that has been held in that district in said time ten—years.

Q. Did you on the 5th day of November, 1878, vote at that place for a person for the office of Representative in Congress?—A. I did.

Q. For whom did you vote for Representative in Congress on the 5th day of November, 1878?—A. Seth H. Yocum.

Q. Do you know a place in Elk County called Brockport?—A. I do, for I work there.

Q. Are you thoroughly acquainted throughout Elk County with the different places?—A. I am not; for I haven't traveled around through the county very much.

Q. Do you know more than one place in Elk County called Brockport?—A. Not that I know of.

Q. What township is Brockport, Elk County, Pennsylvania, in?—A. In Horton Township.

Q. Do you know Wilmer Price?—A. Yes, sir; I know him.

Q. What township does he live in?—A. Horton.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what were you engaged as a business in 1878?—A. Working at all kinds of work that common laborers work at.

Q. Did you work at lumbering any in that year?—A. In 1878 I did.

Q. For whom?—A. Warry H. Horton.

Q. Brockport post-office is not very far from Jefferson County line, is it?—A. It's not very far.

Q. It is not very far to the Fox Township line from the post-office, is it?—A. Well, I couldn't say how far it is to the line from the office.

Q. What is known to you as Brockport, in Elk County, extends over some little territory does it not?—A. Well, the vicinity of Brockport covers quite a little space. I call it Brockport where I live.

Q. People who reside over the line of Elk, in Jefferson, have their address Brockport, do they not?—A. As for that, I cannot say whether they do or not, for I don't bother myself about other people's business.

Q. People at miles distant from the post-office called Brockport go to Brockport for their mail, do they not?—A. There is people that comes quite a distance that live in Horton Township, that come there for their mail.

Q. To whom did you pay the tax you allege to have paid?—A. Thomas Burchfield.

Q. Did you pay him yourself directly, or through a third party?—A. I always pay my own taxes and take the receipts.

Q. Does the assessor come to you annually and assess you?—A. They have for the last three years.

Q. You were assessed in 1878, were you? And if so, state the time.—A. I were assessed; I believe it was in November or December; I don't say which it was; I think it was December.

Q. Was it a property or an occupation tax with which he assessed you?—A. Occupation.

Q. When did you pay the tax then assessed, December, 1878?—A. I couldn't say just when I paid it.

Q. Was your vote at the polls in Horton election district on November 5, 1878, challenged?—A. No, sir; I never had a vote challenged yet by no man.

Q. Did you go into the election house in Horton district on said day while the polls were open and get your ticket?—A. I did not, for I had lots of them sent to me.

Q. Did you take an active part in the political campaign in Horton Township in the fall of 1878?—A. No more than to take my ticket and go there and vote.

Redirect:

Q. Who was the assessor of Horton Township in 1877?—A. I don't know whether I can tell you now, for that is something I pay no attention to.

Q. Was you assessed in 1877?—A. I was; I paid my taxes anyway.

Q. Did you pay a State or county tax in 1877?—A. I did; both State and county.

A. L. MARTHERS.

J. B. FRANTZ sworn and examined by C. E. LYMAN, Esq.

Question. What is your name?—Answer. Jacob Frantz.

Q. What is your age?—A. Thirty-two September coming.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided at that place?—A. Where I live now, I have been living there for the last thirteen years anyhow.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for a person at that time for the office of Representative in Congress for the twentieth Congressional district of Pennsylvania?—A. I voted for a man for Congress.

Q. For whom did you vote for the office of Representative in Congress for the twentieth Congressional district of Pennsylvania, at Horton election district, on the 5th day of November, 1878?—A. I voted for Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. At what place or locality in Horton Township did you reside in the year 1878?—A. I lived on the French place at that time.

Q. Is the French place spoken of by you in the region of Brockport?—A. Yes, sir.

Q. What was your occupation in 1878?—A. Most of the time, lumbering.

Q. For whom did you work at lumbering in the year mentioned?—A. Short & Horton.

Q. Did you go into the woods and keep what is called Frantz's camp?—A. In 1878? No, sir; I didn't. I said, no, sir. I was entirely mistaken. I built a camp and moved into the woods. I got a man to keep shanty for me. I didn't move my family.

Q. To whom did you pay tax in 1878?—A. Thomas Burchfield.

Q. Can you swear to the date on which you paid Thomas Burchfield said tax?—A. No, sir; I can't.

Q. Did you pay Thomas Burchfield the tax in question yourself, or through some one else?—A. I paid it myself.

Q. It was a road and poor tax, was it not, that you paid Mr. Burchfield?—A. No, sir.

Q. Did you take, there and then, a receipt from Thomas Burchfield?—A. It seems to run in my mind I have; I think I did, though.

Q. Can you swear now to the date of an assessment for said tax?—A. No, I couldn't.

Q. Did the assessor meet you, talk with you, and assess you, that you remember of?—A. Yes, sir; he did.

Q. Who assessed you?—A. Walter Rudolph.

Q. Where did this assessment take place?—A. Why, in Horton Township.

Q. Was it at the election house?—A. No, sir; it was in the woods, when I was cutting logs; he came into the woods.

Q. Didn't Mr. Burchfield give you the receipt at the election house?—A. No, sir; he didn't.

Q. You do not swear, then, to the date of the assessment, or to the date of the payment of tax, do you?—A. No, sir.

Q. Where did you obtain the ticket you allege to have cast on November 5, 1878, at the polls in Horton election district?—A. I got it at the election house—my ticket.

Q. You went into the election house while the polls were open and took your ticket from the desks, did you not?—A. I don't know whether

I took it from the desk or whether some one handed me the ticket or not.

Q. Did you prepare your own ticket?—A. Yes, sir.

Q. Did you examine it carefully just before you voted it at the polls in Horton, on November 5, 1878?—A. I did when I folded it. I didn't just before I voted it.

Q. Some minutes elapsed from the time you folded it to the time you voted it, did there not?—A. Well, that's more than I can remember.

Q. Might you not possibly have voted another ticket than the one you intended to vote that day?—A. No, sir; the one I intended to vote I voted.

Q. How is it, Mr. Frantz, that you remember the name of the candidate for Congress for whom you allege to have voted in 1878?—A. I don't know hardly how to answer that question. Because I know it was on my ticket, and I see it in other places, and it is hard to forget it. I know it was on the ticket that I voted.

Q. For whom did you vote for said office?—A. For Congress, Seth H. Yocum.

Q. Do you swear that Seth H. Yocum was a candidate for Congress in the fall of 1878?—A. No, sir; I don't swear that he was a candidate, but we all supposed that he was a candidate.

Q. Wasn't he a candidate for representative in the State legislature?—A. No, sir; I don't think he was.

Q. Then you don't swear now that you really and clearly know for what office Seth H. Yocum was voted for by you?—A. Yes, sir; I do. For Congress.

Q. Has any person to day, or within the last few days, been talking with you as to the full name of Yocum and the office for which he was running?—A. No, sir.

Q. Haven't you heard the matter discussed?—A. I hear something of it every day, wherever we go, mostly.

Redirect:

Q. Did you pay a State or county tax in 1877?—A. Yes, sir; and got a receipt for it. G. W. Clinton was the collector at that time.

Recross-examined:

Q. Can you swear that you know you were assessed in 1877, of your own personal knowledge?—A. Well, no, I couldn't swear that I was assessed. I was taxed and paid taxes, and I was registered and saw my name on the registry.

Q. George W. Clinton was assessor for 1877, was he not?—A. I couldn't tell you whether he was assessor. He was collector, to the best of my knowledge.

J. B. FRANTZ.

LEWIS FRANTZ sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Lewis Frantz.

Q. How old are you?—A. Twenty-one; going on twenty-two.

Q. When were you twenty-one?—A. The 16th of last June.

Q. Where did you reside November 5, 1878?—A. Brockport.

Q. What township, county, and State?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Fourteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—

A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum,

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what locality or place in Horton Township did you reside in 1878?—A. At my father's place in Horton.

Q. Is it at or near Brockport, where your father's place is?—A. Yes, sir.

Q. What were you engaged in, more or less, as a business, in the year 1878?—A. Cutting logs.

Q. For whom were you cutting logs in the year last mentioned?—A. A. William Frantz.

Q. For whom was William Frantz cutting logs in said year?—A. For Mr. Hyde.

Q. Did you not, in the fall of 1878, go into the woods and work at what is known as Frantz's camp?—A. I did.

Q. About what time in the fall did you go there?—A. First of September.

Q. You were of age at that time, were you?—A. Yes, sir.

Q. Did you not remain or work at the camp all the fall?—A. No, sir.

Q. Did you not remain at the camp for one week?—A. I did.

Q. Did your father keep the camp mentioned?—A. No, sir.

Q. Were you not at Frantz's camp as late as October 1, 1878?—A. I was.

Q. Did you stay around the polls in Horton election district on November 5, 1878, for any length of time?—A. No, sir.

Q. Do you remember whether you read over and carefully examined the ticket you cast at the polls in Horton election district on November 5, 1878?—A. I did.

Q. About the only knowledge you have concerning the date of your birth is what you have heard from others, is it not?—A. Yes, sir.

Q. How is it that you remember so well that you voted for Mr. Yocum?—A. Because I seen his name on the ticket.

Q. For what office did you vote for him for?—A. I didn't vote for any for Mr. Yocum.

Q. For what office was Mr. Yocum running in Horton Township?—A. I have got wrong a little.

Q. Didn't you vote for Mr. Yocum for representative in the State legislature at the general election in Horton district on November 5, 1878?—A. I voted for Seth H. Yocum then.

Q. Did you vote for Seth H. Yocum for the last mentioned office or for some other office?—A. I voted for Seth H. Yocum.

Q. For what office?—A. For Congress.

Q. Did you see the word "Congress" on your ticket?—A. I seen "Congressman" on.

Q. Was the word "Congressman," which you allege to have been on the ticket which you voted on November 5, 1878, in Horton election district, below or above the name "Seth H. Yocum"?—A. I think it was.

Q. Do you think it was above?—A. Yes, sir.

Q. The name "Seth H. Yocum," was it written or printed upon the ticket which you cast?—A. Printed.

Q. Wasn't it a printed paster or sticker which contained the name of Seth H. Yocum?—A. No, sir.

Q. In what year were you born?—A. In 1857.

Q. Did you go into the election house in Horton Township when the polls were open on November 5, 1878, and get your ticket from the desk?—A. No, sir.

Redirect:

Q. State whether your father's house was your home November 5, 1878—I mean up to November 5, 1878—and has been since.—A. Yes, sir.

LEWIS FRANTZ.

AMBROSE STRAIT sworn and examined.

By C. E. LYMAN, Esq.:

Question. What is your name?—Answer. Ambrose Strait.

Q. What is your age?—A. Forty-four years old yesterday.

Q. What township, county, and State do you reside in?—A. Elk, Horton Township, Pennsylvania.

Q. How long have you resided in Horton Township, Elk County, Pennsylvania?—A. Ever since 1857.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the fifth day of November, 1878?—A. Yes, sir; I had.

Q. Did you vote at Horton election district on the fifth day of November, 1878, at the general election there held, for any person for the office of Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did vote.

Q. For whom did you vote for such Representative in Congress?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Who assessed you for the tax which you allege to have paid?—A. George Clinton.

Q. When was George Clinton assessor?—A. In 1878.

Q. Do you mean that he was assessor for Horton Township for the year 1878, or for some other township for that year?—A. Horton Township.

Q. Don't you know that George W. Clinton was assessor for school-tax for Horton Township in 1878?—A. No, sir; I don't know it.

Q. Then you say that the tax you paid was on the assessment made on you by George W. Clinton in the year 1878?—A. I think it was; I wouldn't be positive.

Q. Did George W. Clinton come to you, talk with you, and assess you, that you remember of?—A. No, sir; he did not.

Q. Of course, then, you cannot swear to a certainty that you know of your own knowledge that you really were assessed in 1878?—A. I suppose I know I was assessed well enough. I wouldn't be positive that he assessed me; but I think he did.

Q. Well, if you did not see and hear Mr. Clinton assess you, what makes you think that you were assessed?—A. I suppose if I hadn't been assessed I wouldn't got a chance to vote.

Q. The fact, then, that you were allowed to vote is what makes you think that you were assessed, is it not?—A. I suppose if I hadn't been assessed they wouldn't be after me to pay taxes, and consequently wouldn't have any right to vote.

Q. Can you swear at all to the date on which you paid the tax, the

assessment of which we have just considered?—A. I can swear I paid State and county tax inside of a year.

Q. That is, that you paid a State or county tax within a year prior to November 5, 1878?—A. Yes, sir.

Q. To whom did you pay this tax?—A. Burchfield.

Q. Did you pay Mr. Burchfield yourself?—A. Yes, sir.

Q. But you can't say, can you, just when, only that it was within a year?—A. It was in August that I paid the tax, I believe. I couldn't just tell the day.

Q. Did you take there and then from Mr. Burchfield a receipt therefor?—A. I think I did.

Q. Where did you pay him, if you remember?—A. I paid him at his house.

Q. Did you work at lumbering any in the year 1878?—A. I did.

Q. For whom?—A. For Short & Horton.

Q. Are you a single man?—A. I am not.

Q. Has your family resided with you in Horton Township, or have they resided elsewhere while you were in Horton?—A. They have been there ever since I had a family in Horton Township.

Q. Did you get your ticket in the election-house in Horton district on November 5, 1878?—A. I did.

Q. Did you get it from one of the desks in the election-house while the polls were open?—A. I did.

Q. You then prepared your own ticket, did you not?—A. No; I didn't prepare my own ticket.

Q. You can read and write readily, can you not?—A. No, sir; I can't neither read nor write—not writing.

Q. That is the reason, then, that you did not prepare your own ticket, is it not?—A. Yes, sir; it is.

Q. As you cannot read or write readily, might you not have voted somewhat differently from that which you intended?—A. No, sir; I don't think I did vote different.

Q. Still you might, under those circumstances, possibly, have been a little deceived?—A. I don't think I was deceived any.

Q. How can it be clear to you that you voted for a certain man for a certain office when you cannot read?—A. I don't think the man would deceive me any who made the ticket out for me.

Q. The knowledge, then, of the ticket which you cast at the polls in Horton election district on November 5, 1878, you depend upon another man for, do you not?—A. I did depend on another man to fill out the ticket I voted.

Q. Then, when you said you voted for Yocum for Congress, you meant to say that you intended to vote for him, did you not?—A. I did.

Q. But, of your own personal knowledge, as far as you individually know, without taking the word of another, you really can't swear that you certainly did vote for any man for member of Congress?—A. No, sir; I could not.

Redirect:

Q. Who prepared that ticket for you?—A. Mr. Horton.

Q. Did he read that ticket to you?—A. He did.

Q. Did he inform you that the name of the person for whom you voted for Congress was Seth H. Yocum?—A. Yes, sir.

Q. Did you vote the ticket so prepared by him and given to you?—A. I did.

Q. Did you pay a State or county tax in 1877?—A. Yes, sir. I never missed a year in twenty-two years.

Q. Were you assessed regularly every year, as far as you recollect?—
A. I think I was.

Recross-examined:

Q. Can you swear to any of these assessments?—A. I don't know whether I could or not; I suppose I could by looking them up; I don't pay much attention to those things.

his
AMBROSE + STRAIT.
mark.

Witness: M. S. KLINE.

JOHN McMANN sworn and examined.

Question. What is your name?—Answer. John McMann.

Q. What is your age?—A. About thirty-four years old.

Q. Where do you live?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I have lived there about eight years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I suppose I have or they wouldn't let me vote; undoubtedly I have.

Q. State whether you paid State and county tax in 1877.—A. Well, now, I can't tell you whether I did or not; I wasn't prepared to answer such questions; if I paid it I have receipts.

Q. Are you a property-holder in this township?—A. Yes, sir.

Q. What is the character of that property, real or personal, or both?—A. Both.

Q. How long have you been a property-holder in this township?—A. About seven years.

Q. Did you vote at the general election in Horton district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name?—A. No.

Q. State whether or not you have been annually assessed and annually paid a State or county tax since you have lived in Horton Township?—A. I have been annually assessed; I won't swear that I have annually paid; I disremember whether I have or not.

Cross-examined:

Q. You do not swear that you paid a State or county tax in Horton Township in the year 1878, do you?—A. Yes.

Q. To whom did you pay said tax?—A. To the constable; I always pay mine.

Q. Can you swear at all to the date on which you paid said tax?—A. No, sir.

Q. Can you swear that you paid said tax prior to the 1st of November, 1878?—A. Yes, sir; I can swear it was.

Q. In what part of Horton Township do you reside?—A. Brockport.

Q. Were you born in the United States?—A. Yes, sir.

JOHN McMANN.

Not being able to complete the taking of said depositions, by consent of parties I adjourned the further taking of the same till Wednesday, March 19, 1879, at eight o'clock in the forenoon, at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Wednesday, March 19, 1879.

Pursuant to adjournment we met and resumed the further taking of said depositions.

Present, George R. Dixon, esq., counsel for contestant, and W. W. Ames, esq., and C. E. Lyman, esq., counsel for contestee.

JAMES H. MOSIER sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. James H. Mosier.

Q. What is your age?—A. Fifty years old the 12th of last February.

Q. Give us the town, county, and State in which you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided at that place?—A. Well, really, my residence has been here for the last sixteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years which had been assessed at least two months and paid at least one month before November 5, 1878?—A. I have.

Q. Did you vote in Horton election district at the general election there held on the 5th day of November, 1878?—A. I did.

Q. Did you vote at said time and place for a person for the office of Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for that office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that the ballot has been lost or destroyed.)

A. I voted for Yocum.

Q. Do you remember the given name of the man Yocum for whom you voted?—A. I don't, sir; I knew at the time, but my memory is not very good to mind such things in my head.

Cross-examined:

Q. In what part of Horton Township did you reside in 1878?—A. The west part of it.

Q. What is the name of the locality, if it had a name?—A. That's a question I can't answer. I was working in the woods in Collins' camp, on Laurel Run.

Q. Did you live at Collins' camp on Laurel Run throughout the year 1878?—A. No, sir, I didn't; I was there not quite a month.

Q. The month that you were there at Collins' camp, when was it?—A. I was there at off-times, commenced in August; I got hurt by a tree there, went back there again and worked there a few days, and went to work on Johnson Run.

Q. This Collins' camp on Laurel Run, where is it?—A. Comes in near the mouth of Toby.

Q. Isn't the camp in Spring Creek Township, Elk County, Pennsylvania?—A. No, sir; in Horton.

Q. Don't you know that Collins' camp, where you worked and lived in the fall of 1878, is in Jefferson County, Pennsylvania?—A. No, sir; I don't know it.

Q. Do you know just where the official line is which separates Spring Creek Township from Horton Township in the region of Collins' camp?—A. No, sir; I don't exactly.

Q. You have never seen what you knew to be the line?—A. No, sir, I didn't, not exactly—not that I could swear to; I seen what they called the line in the woods.

Q. Then you don't swear that is a fact about which you are certain, and will risk your oath that Collins' camp is in Horton Township?—A. I think it is, sir, to the best of my knowledge.

Q. But you don't know that it is, do you?—A. Well, I guess I know about as well as the best of the woodsmen, because I never helped to survey the lines.

Q. Where is Johnson's Run?—A. Empties into the mouth of Brandy Camp.

Q. For whom did you work on Johnson's Run?—A. Jefferson Taylor.

Q. For whom was Jefferson Taylor jobbing?—A. He was jobbing for Mr. Hyde.

Q. Was the camp on Johnson's Run in Horton Township?—A. Yes, sir.

Q. When were you assessed?—A. In 1878.

Q. Who assessed you?—A. I can't think of his name.

Q. Did any one come to you, talk with you, and assess you?—A. Assess me—I am assessed every year, except I was away three years.

Q. How do you know?—A. Well, the assessor comes to me and assesses me.

Q. When were you away three years?—A. Well, sir, I can't tell you the year exactly that I went away in.

Q. When did you get back?—A. I come back somewhere about 1876.

Q. Now, don't you know that you went away out of Horton Township in 1875?—A. No, sir, I don't.

Q. But you do know that it was in 1874, don't you?—A. No, sir, I don't; I'll not be positive.

Q. Well, you came back in the early part of 1877, didn't you?—A. No, sir; somewhere about 1876—somewhere near there.

Q. Were you away out of Elk County for these three years?—A. I was, sir.

Q. Was your family, if you have one, with you?—A. No, sir.

Q. Where were you?—A. That's a leading question—I don't know as I am obliged to answer it.

Q. Do you refuse to answer?—A. I was in Allegheny City.

Q. How did you come to go there?

(Objected to by counsel for contestee as incompetent, irrelevant, and not cross-examination, it making no difference how he came to go, the only material question being as to where he was during the absence from Elk County referred to.)

A. Well, sir, I come to go there on a girl scrape.

Q. What do you mean by your answer to the last question?—A. I mean, sir, I was arrested on account of a girl scrape.

Q. Do you also mean that you were tried, convicted, and sentenced to the Western penitentiary at Allegheny City, and there confined for about three years?—A. Yes, sir; two years and eight months—they sentenced me three years.

Q. Now, don't you remember when you were taken to Allegheny City to pay the penalty of the crime for which you were tried and convicted?

(Objected to by C. E. Lyman, esq., counsel for contestee, as incompetent to affect his right of suffrage, or the case at issue, and only calculated to provoke the witness, and entirely irrelevant.)

The counsel for contestant requests to make the following statement, viz: That whether that part of the last above objection, to wit, first, that it is incompetent to affect his right of suffrage, is not for any counsel to state in this examination, and order the same to be taken down by the commissioner, because, whether it is competent to affect his right of suffrage is beyond all doubt or question a legal conclusion to be arrived at by the proper tribunal; second, the statement in the last above objection, to wit, "and only calculated to provoke the witness," is certainly not an objection to be found in any proper proceedings in the taking of testimony, and when the counsel for the contestee stated the same he did not know, neither could he know, and even if he did know whether his statement were true, he as a professional man and as a lawyer bound by professional rules had no right to state the same.)

A. I made that statement once; I don't remember the time.

Q. You were let out you say at the expiration of two years and eight months, when your sentence was for three years; why and how were you released before the expiration of the term of your sentence?—A. On my good behavior.

Q. That is, the manager of the penitentiary released you before the expiration of your sentence, because of your good behavior?—A. Yes, sir; he released me; I suppose there was law to that effect.

Q. You did not have, neither now have, an official pardon from the governor of the State of Pennsylvania?—A. I had no pardon.

Q. With what were you assessed in the year 1878?—A. Well, I don't know as I could answer that; they put down the forty-cent tax—that is the amount I had to pay—I don't know what I was assessed with.

Q. Where, at what place in Horton Township, were you assessed?—A. I was assessed near the Brockport Mills.

Q. You don't remember now who assessed you?—A. Rudolph.

Q. Who assessed you, if any one, at any other time and when?—A. I don't know or mind now who the assessor was.

Q. Can you swear at all to the date of the assessment by Rudolph?—A. I can't, sir.

Q. It has slipped entirely from your memory, has it?—A. I have a receipt of my taxes, but I forgot to bring it with me. Yes, sir; I can't.

Q. To whom did you pay the tax assessed by Rudolph, or which you allege to have been assessed by Rudolph?—A. Mr. Horton paid my tax; I ordered him to pay it for me.

Q. Do you mean Warren H. Horton paid your tax in 1878?—A. Yes, sir; I do.

Q. Did you see Warren H. Horton pay the tax?—A. No, sir.

Q. To whom did you order W. H. Horton to pay the tax to?—A. Mr. Burchfield.

Q. Didn't W. H. Horton tell you along in November that he had made your tax all right with Burchfield and had charged you with the same on his books?—A. He told me he had paid it; I don't know if it was in November or not.

Q. Didn't he say at that time that he had charged you with it?—A. No, sir; I don't remember.

Q. You had an open and running account at that time with W. H. Horton, hadn't you?—A. I had and have yet.

Q. You worked for him occasionally, did you not, and he gave you credit on his books for the labor done by you?—A. Yes, sir.

Q. Do you swear positively that you received a receipt from Mr. Burchfield himself directly?—A. No, sir; I don't.

Q. You were up at the election-house in Horton district on November 5, 1878, and remained there for some time, did you not?—A. I was there about a half an hour.

Q. Can you read and write readily?—A. I can't write; I can read print some.

Q. Did you read over and examine your own ticket?—A. I did examine my own ticket.

Q. You prepared your own ticket, then, did you not?—A. No, sir; I didn't prepare it myself.

Q. Did you examine your ticket immediately before you cast it at the polls in Horton election district on November 5, 1878?—A. I did.

Q. Having examined your ticket carefully yourself you are certain now, are you, as to its contents?—A. I can't remember the whole of it now, as I stated here before.

Q. Do you swear that you positively did vote on November 5, 1878, at the polls in Horton district, for any one named Yocum?—A. I did vote for Yocum.

Q. Well, did you vote for Yocum for any office; and, if so, was it really that he should be representative in the State legislature?—A. No, sir; Congressman.

Q. Did you see the word "Congressman" on the ticket containing the name "Yocum," which you cast?—A. I can't remember my ticket now; don't try to make any capital of me; I know I voted for Yocum.

Q. If you didn't see the word "Congressman" on the ticket with the name "Yocum," what did you see as a designation of the office for which you voted him?—A. I don't mind.

Q. You did see the name Yocum, did you, on the ticket?—A. I don't mind if it was on the ticket or off of the ticket; I made that statement several times.

Q. If you don't remember whether you saw the name "Yocum" on the ticket or off of the ticket, then how can you on your oath say you voted for Yocum?—A. Well, sir, I did mind it at the time, but I don't know.

Q. Providing you did vote for Yocum, you can't now swear, can you, to the office for which he was running on your ticket?—A. He was running for Congressman.

Q. But you don't know now that he was running for Congressman on your ticket?—A. I did at the time of it.

Q. But your recollection of the matter to-day is not at all clear, is it?—A. No, sir; I am not good to mind anything any length of time.

Redirect:

Q. Mr. Mosier, where is Bogy Run—in what township?—A. Horton Township.

Q. Did you vote in Horton Township in 1877?—A. No, sir.

Q. Did Warry Horton give you Burchfield's receipt for the taxes you ordered Mr. Horton to pay said Burchfield?—A. No, sir; he didn't give me the receipt; Mr. Horton told me he had it for me.

Q. Mr. Mosier, did you pay a State or county tax in 1877?—A. I paid it last year—State and county.

Q. Was that the tax for the year 1877?—A. I couldn't tell you.

Recross-examined by W. W. AMES, Esq.:

Q. Is the whole of Bogy Run in Horton Township?—A. I don't think it is.

Q. Don't you know that some of Bogy Run is in Fox Township?—A. I think it is—a small part of it.

JAMES H. ^{his} + MOSIER.
mark.

Witness: M. S. KLINE.

MICHAEL BISH sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. My name is Michael Bish.

Q. What is your age?—A. According to my father's record it would be forty years the seventh of next August.

Q. Where did you reside November 5, 1878?—A. In Horton Township, Elk County, State of Pennsylvania.

Q. How long have you resided there?—A. Three years the last day of this month.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I should think so.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?

A. (Witness looking at paper says :) October the 1st, when I paid the last tax, 1878.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that his ballot has been lost or destroyed.)

A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. What was your occupation in 1878?—A. Trying to clear up a farm.

Q. Where in Horton Township did you live in 1878?—A. It is the east end, I think, of the township.

Q. Is it far from Brockport—this place where you lived in 1878?—A. It is between four and five miles from Brockport.

Q. Isn't your place pretty close to the Jefferson County line?—A. It is between five and six miles, I think, to the line.

Q. Did you work at lumbering any in 1878?—A. No; I didn't.

Q. To whom did you pay the tax you allege to have paid?—A. To G. W. Clinton.

Q. The date you said was October 1, 1878, did you not?—A. Yes, sir.

Q. Did you yourself pay G. W. Clinton the tax at said time?—A. I did.

Q. Did you take, at the time you paid him, a receipt therefor?—A. I got this receipt that I have here.

Q. How did you pay Mr. Clinton said tax?—A. I paid him the money, of course.

Q. Didn't you pay him later than October 1, and have him date the receipt October 1, so that you might be able to vote on November 5, 1878?—A. No, sir.

Q. Wasn't it a road and poor tax that you paid Clinton on October 1, 1878?—A. No, sir.

Q. Do you remember of being assessed for said tax paid Clinton?—A. Yes, sir.

Q. Now, sir, when was the assessment made for the tax in question?—A. I don't just remember the day the assessor was at my place.

Q. Then you don't swear or affirm at all to the date of the assessment?—A. No, sir, for I don't mind; it was in the fall, though—last fall a year ago.

Q. Do you remember who assessed you?—A. Yes, I do.

Q. Who assessed you?—A. George Clihton?

Q. With what were you assessed?—A. With two cows and the land—I don't know whether he assessed that to me or not that fall—and one horse.

Q. Do you remember whether Thomas Burchfield was collector in 1878 in Horton Township?—A. Yes, sir; I do.

Q. He was collector in Horton Township in 1878, for State and county and other taxes, was he not?—A. Yes, he was.

Q. At what time of the day did you go to the polls in Horton election district on November 5, 1878?—A. About eleven o'clock.

Q. Where did you get the ticket you allege to have voted on that day in Horton?—A. I got it outside of the school-house, where I got off of my beast.

Q. By the school-house you mean also the election-house in which the polls were held, do you not?—A. Yes, sir; that's what I mean.

Q. You prepared your own ticket, didn't you?—A. No, I did not.

Q. You can read and write readily, can you not?—A. Yes, sir, a little.

Q. But you requested some one, did you, to make up a ticket for you which you would vote?—A. I got the ticket from Reedy as I went there. I opened it and looked at it and seen if it was the ticket I wanted to vote.

Q. To what political party did you belong in 1878?—A. None in particular.

Q. Then you didn't vote a party ticket, but something of a mixed ticket?—A. I voted the straight Greenback ticket that day.

Q. Did you know that all the candidates named on your ticket were Greenbackers?—A. I only knew what the rest told me that they were.

Q. Did you carefully examine your ticket just before you cast it on November 5, 1878, at the polls in Horton election district?—A. I did.

Q. Mr. Bish, haven't you had a talk with some one, and was told something as to what you should testify to here before this commission?—A. No, sir.

Q. You have heard it talked, haven't you, that the witnesses before this commission would be examined critically as to the full name of the candidate for whom they voted?—A. Not that I know of.

Q. Is your recollection of the name Yocum not more or less from recent hearsay?—A. Why, that's all the name I ever heard for him; that's the first I ever saw it on the ticket, that name.

Q. You have seen the name since, haven't you?—A. Yes, sir; it was on my subpœna that I got.

Q. It was on the subpœna that summoned you here, was it not?—A. Yes, sir.

Q. Your recollection of the name Yocum is to a great extent from its appearance on the subpœna, is it not?—A. I always have memory enough to remember who I voted for.

Redirect:

Q. Look at that paper in your hand and tell what it is.—A. Its a receipt for county and State tax.

(Counsel for contestee requests that a copy be taken of the paper referred to in last above question.)

“HORTON TOWNSHIP, Oct. 1, 1878.

“To MICHAEL:

“DEAR SIR: The followin’ bill of taxes has been placed in my hands for collection. Please call and settle the same within thirty days, and oblige yours, truly:

“County tax, \$.66

“State tax, \$.05

\$

\$

\$

\$

\$

Amount \$.71.

“Received payment, Oct. —, 1878.

“THOMAS BURCHFIELD, *Collector.*”

Q. State when you got that paper.—A. I got that the 1st day of October.

Q. It says, “To Michael”; do you know to whom that referred?

(Objected to by counsel for contestant as being incompetent and irrelevant.)

A. Well, I suppose it refers to me; there was no other Michael there at the time.

Q. State when you paid the tax referred to in the notice and receipt.

—A. I paid that the 1st day of October, 1878.

Q. To whom did you pay that tax?—A. I paid that tax to George Clinton.

Q. How did you come to pay it to George Clinton?—A. Well, sir, George Clinton paid the tax to Burchfield in the morning, and in the afternoon I happened into his office and he presented this receipt and I paid him the same day that I got it.

Q. State whether you paid State or county tax in 1877.—A. I did.

Recross examination:

Q. Might there not be another man in Horton Township named Michael than yourself?—A. Well, if there is I paid this tax, anyhow, that is on this paper. I suppose there are more Michaels.

Q. Then you don’t know but that this may have been a bill of taxes against some other Michael?—A. It was Michael Bish in the duplicate, any way.

Q. Who had the duplicate?—A. Thomas Burchfield.

Q. Did you see the duplicate in the possession of Thomas Burchfield?

—A. Yes, sir; I did.

Q. Well, you saw in the duplicate which Thomas Burchfield had your name “Michael Bish,” did you not?—A. I did.

Q. Did you see anywhere in the duplicate a tax charged to Michael?

—A. Not without some other name to it.

Q. Did you see Clinton pay Burchfield the tax mentioned in the receipt, a copy of which is in evidence?—A. No, I didn’t, but I seen the tax on the same day on the duplicate, and Burchfield told me that it was paid.

Q. Was the payment of it receipted on the duplicate?—A. It was crossed with a ring around it.

Q. Who assessed you in 1877?—A. If my memory serves me right it was Clinton. He didn't come to my place in 1877, that is, for that tax that was to be paid at that time.

Q. Wasn't the tax mentioned in the receipt, a copy of which is in evidence, the same tax which was assessed by Clinton in 1877?—A. Yes, he was at my place in 1877, and assessed the tax or assessed my property rather. I was mistaken in the first above answer as to the assessment in 1877; I should have said it was in 1876 that he didn't come to my place to assess the taxes for 1877, I suppose it should be.

MICHAEL BISH.

REUBEN KELLER sworn and examined by C. E. LYMAN, esq.

Question. What is your name?—Answer. Reuben Keller.

Q. What is your age?—A. Forty-one.

Q. In what township, county, and State do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the fifth day of November, 1878?—A. I have.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878?—A. I did.

Q. Did you vote at that election for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office at said election?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that the ballot has been lost or destroyed.)

A. For Seth Yocum.

Q. What township is Bogy Run in?—A. There is a part of it in Fox and a part in Horton.

Q. Are there any inhabitants along that portion of Bogy Run that is in Fox Township?—A. But one.

Q. Who is that?—A. Aleck Burkey.

Q. (By W. W. Ames, esq'r.) State whether Seth Yocum, for whom you voted, had any middle letter to his name.

(Objected to by counsel for contestant, it being a leading question.)

A. I am not positive; I think he had.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what locality or place in Horton Township did you reside in 1878?—A. Brockport.

Q. What was your occupation chiefly at that time?—A. Well, I suppose it would be laborer.

Q. Were you engaged in lumbering more or less in that year?—A. I was.

Q. For whom did you operate as lumberman in 1878?—A. For Short & Horton.

Q. To whom, if any one, did you pay a tax?—A. Thomas Burchfield.

Q. When did you pay said tax?—A. I think it was in June.

Q. Did you pay the tax yourself to Mr. Burchfield directly or through a third party?—A. I paid it myself.

Q. You are certain, are you, that you paid it in June, 1878?—A. I am not positive; either the 1st of June or the last of May.

Q. Did you take from Mr. Burchfield a receipt of the payment of said tax?—A. I did not; I saw it receipted on his book.

Q. What was the character of his book, was it a duplicate of the tax levied?—A. It was.

Q. Do you remember the date when the assessment was made on you?—A. I do not.

Q. Do you know who the assessor was in 1878 for Horton Township?—A. Mr. Rudolph.

Q. You can't swear then at all to the date of the assessment in question, can you?—A. I cannot.

Q. Can you swear that you know of your own knowledge that Rudolph assessed you?—A. I cannot positively, but he was the assessor.

Q. Wasn't this tax you allege to have paid a road-tax?—A. No, sir.

Q. Did you examine and prepare your own ticket that you voted in Horton election district on November 5, 1878?—A. I did.

Q. Were you born in the United States, Mr. Keller?—A. I was.

Q. You read and write readily, do you not?—A. I do.

Q. Being able to read and write readily, and having prepared and examined your own ticket, you are now certain of the contents of said ticket, are you not?—A. I am.

Q. For what office was Seth Yocum running on the ticket you voted November 5, 1878?—A. For Congress.

Q. You saw the words "For Congress" near the name "Seth Yocum" on your ticket, did you not?—A. I did.

Q. You are sure then that you voted for Seth Yocum for Congress, and that the words "Seth Yocum for Congress" were on the ticket you cast?—A. Yocum was; the two initials of his first name were on the ticket, I think.

Q. As you now remember, the word "Seth" was not on the ticket, but simply the letter S. as an initial of his name?—A. Yes, sir.

Redirect:

Q. How long have you paid taxes in Horton Township?—A. Ten years, I think.

Q. Did you pay a State or county tax in that township in 1877?—A. I did.

REUBEN KELLAR.

HENRY A. CLINTON sworn and examined by W. A. AMES, Esq.

Question. What is your name?—Answer. Henry A. Clinton.

Q. What is your age?—A. Pretty near twenty-six years old.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Why I was born there; I don't know whether it was in Elk at that time; I think it was in Clearfield.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; well, a brother of mine paid it for me, and I was working for him at the same time.

Q. State whether you adopted that payment more than one month before November 5, 1878.—A. Yes, sir.

Q. State whether you paid State or county tax in 1877.—A. That was the tax that he paid for me; that 1877.

Q. State whether you paid your brother the amount of tax you allege he paid for you in 1877.—A. Yes, sir.

Q. Did you pay taxes, State or county, in 1878?—A. I paid my tax for 1878 this year.

Q. Did you vote at the general election held in Horton election district, November 5, 1878, for a person for representative in Congress for the twentieth Congressional district of State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth Yocum.

Q. Do you remember whether he had a middle letter to his name?—A. Yes, sir.

Q. What was that letter?—A. H, believe.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Who assessed you for the tax you think was paid for you by your brother?—A. I think that he was assessor himself; I ain't sure; no, Rudolph was assessor, I think.

Q. Do you remember that Mr. Rudolph came to you and assessed you in 1877?—A. I don't think he did.

Q. You can't swear then, can you, that you know you were assessed in 1877?—A. No, sir; I couldn't swear to it.

Q. The tax which was charged to you in 1877 on the duplicate of the collector, was paid by your brother in 1878, wasn't it?—A. Yes, sir.

Q. And the tax against you for 1878 was not paid till 1879, was it?—A. No, sir.

Q. The tax paid by you in 1879 was a road tax, or was it a poor tax, or what was it?—A. State and county.

Q. Can you swear now to the date of the payment of the tax by your brother for you?—A. No, sir.

Q. You didn't see him pay it?—A. No, sir.

Q. You were told, were you not, by him, that he paid it, and that is the source of your knowledge in regard to its payment?—A. Yes, sir.

Q. You were working for him at that time, were you not?—A. Yes, sir.

Q. You had an account then with him, did you not?—A. I believe there was.

Q. Did you prepare your own ticket which you cast in Horton election district which you cast at the polls on November 5, 1878?—A. No, sir.

Q. Can you read and write with ease?—A. Yes, sir.

Q. Of whom did you get tickets on November 5, 1878?—A. Of my brother.

Q. Well, you are positive, are you, that you voted for Seth Yocum for Congress, or didn't you examine your ticket carefully?—A. Yes, sir.

Q. You saw the words "for Congress" near the name "Seth Yocum" on your ticket, did you not?—A. Yes, sir.

Q. You saw and remember that you saw on your ticket that you voted the words "Seth Yocum, for Congress?"—A. Yes, sir.

Q. Were the words "For Congress" above or below the name "Seth Yocum" on the ticket?—A. Above, I believe.

Q. The tax alleged to have been paid by your brother, was it a road tax?—A. No, sir.

Q. Did your brother tell you what kind of a tax it was?—A. Yes, sir.

Redirect:

Q. State whether you have been annually assessed and have annually

paid taxes, State or county, since you arrived at the age of twenty-one.—A. Yes, sir.

Recross-examined :

Q. Well, do you know that you were assessed in 1874?—A. No, sir.

Q. You didn't fully understand, then, the last question put by the attorney for the contestee, did you?—A. I didn't at first; now I do.

Redirect :

Q. State whether you were yearly assessed and have yearly paid a State or county tax since you became twenty-one years old.—A. Yes, sir.

Recross-examined :

Q. You don't know that you were assessed in 1875, do you?—A. No, sir.

H. A. CLINTON.

JAMES CODER sworn and examined.

Question. What is your name?—Answer. James Coder.

Q. What is your age?—A. Forty-six.

Q. What is the township, county, and State in which you reside?—

A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided in said place?—A. Well, I have lived in Elk County twelve years.

Q. How long have you lived in Horton Township?—A. Well, about the same, as near as I can recollect.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Had you paid a State or county tax within two years which had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. I have paid tax.

Q. Did you vote at the general election held in Horton election district on the 5th day of November, 1878?—A. I did.

Q. Did you, at that election, vote for a person for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania?—A. I did.

Q. For whom did you vote for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania, at Horton election district, on the 5th day of November, 1878?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that the ballot has been lost or destroyed.)

A. Seth H. Yocum.

Q. What township is Bogy Run in?—A. Bogy Run is in Horton Township.

Q. Did you pay a State or county tax in 1877?—A. I did.

Cross-examined :

Q. Are you known as James R. Coder?—A. Yes, sir.

Q. Was your vote challenged at the polls in Horton election district on November 5, 1878?—A. It was not.

Q. You prepared your own ticket which you voted in Horton district on November 5, 1878, did you not?—A. I prepared my own ticket.

Q. You examined it immediately before you cast it, did you not?—A. I did.

Q. What was your occupation, chiefly, in the year 1878?—A. Sawyer.

Q. Where did you reside—at Keystone Mills or Brockport Mills?—A. At Keystone.

Q. To whom did you pay tax in the year 1878?—A. Thomas Burchfield.

Q. Did you take from Thomas Burchfield a receipt, there and then, for the tax paid?—A. I did.

Q. Did you pay Mr. Burchfield yourself?—A. I did.

Q. Can you swear at all to the date of the assessment for said tax?—A. I could not.

Q. Do you remember whether the assessor came to you, talked with you, and assessed you?—A. He did.

Q. You remember that the assessor assessed you, but you don't remember the date; isn't that the case?—A. That's the—I didn't remember the date.

Q. Can you swear at all to the date when you paid the tax to Burchfield?—A. I could not, without looking at the receipt.

Q. You paid Mr. Burchfield a road and poor tax did you not?—A. I paid Burchfield poor tax and State and county tax; also other tax.

Q. Do you remember anything in regard to the date of an assessment in 1877?—A. I don't remember the date.

Q. The tax you speak of paying in 1878, wasn't it assessed in 1877?—A. I couldn't say; it might have been; though I paid the tax for 1878 and 1877 both.

Q. Do you remember that it was a State and county tax that you paid in 1877?—A. I paid State and county tax for 1877 and 1878.

Q. Were the words "For Congress" on the ticket you voted in Horton election district on November 5, 1878?—A. They was.

Q. Were the words "For Congress" below or above the name "Yocum" on the ticket you voted?—A. Above the name.

Q. Haven't you been looking at a ticket recently, so as to refresh your memory?—A. I have not seen a ticket since the election.

Q. You are a married man, are you not, Mr. Coder?—A. Married man.

Q. Your family resided in Horton township in 1878, did they not?—A. They did.

J. R. CODER.

GEORGE S. HINES sworn and examined.

Question. What is your name?—Answer. George S. Hines.

Q. What is your age?—A. I am forty-one—past.

Q. In what township, county, and State do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am, if I understand what constitutes a citizen.

Q. Had you paid a State or county tax within two years, which had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district on the 5th day of November, 1878?—A. If that is the day of the month it was held, I voted at the general election.

Q. Did you at said election in Horton Township, in November, 1878, vote for a person for the office of Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania, on the 5th day of November, 1878?—A. For Seth Yocum; I guess there is a middle letter, but I am not positive what it was.

No cross examination.

G. S. HINES.

Not being able to complete the taking of said depositions, by consent of parties I adjourned the further taking of the same till Thursday, March 20, 1879, at eight o'clock in the forenoon, at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Thursday, March 20, 1879.

Having met pursuant to adjournment, we resumed the taking of said depositions.

Same attorneys present.

G. W. REEDY sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. George Washington Reedy.

Q. What is your age?—A. I am going on twenty-eight; will be twenty-eight in November.

Q. In what township, county, and State do you reside?—A. Elk County, Horton Township, Pennsylvania.

Q. Are you a married man?—A. Yes, sir.

Q. How long have you resided in Horton Township?—A. I have always made my home in Horton Township.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I think I am.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir; I think I had; I have got receipts to home for all my taxes, but haven't got them with me; but I think I am correct.

Q. Did you pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you vote in Horton Township at the general election there held on the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote at said election for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir; I think I did.

Q. For whom did you vote for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania at Horton election district, on the fifth day of November, 1878?—A. Seth H. Yocum, I believe, sir.

Q. Did you prepare a ticket for Jeff. Bish at that election on the 5th day of November, 1878?

(Objected to by counsel for contestant, the question as worded is leading in that it implies an answer.)

A. Yes, sir, I gave him a ticket, sir.

Q. Did he cast the ticket you gave him at the election aforesaid?—

A. I think he did; I went and gave him a ticket and saw him put one in.

Q. Whose name, if any, was upon that ticket for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania?—A. Seth H. Yocum, sir, I think.

(The counsel for contestant wishes the commissioner to write above answer as given by the witness, viz: "Seth H. Yocum, sir, I think.")

Q. Can you spell?—A. Not very well; I can't speak words very plain sometimes.

Q. Pronounce the word Seth.

(Objected to by counsel for contestant as being irrelevant and leading.)

A. Seth.

Q. Do you or do you not mean Seth H. Yocum?

(Objected to by counsel for contestant in that the question puts into the mouth of the witness the name and gives to the witness the pronunciation of the name which the counsel desires to have mentioned and pronounced by the witness.)

A. Yes, sir; I mean that name, sir.

Cross-examined:

Q. Are you known as George Reedy sometimes?—A. Yes, sir.

Q. Were you sworn in this contest before?—A. Yes, sir.

Q. At what place did you testify?—A. At Ridgeway.

Q. Before what commissioner or notary public was your evidence taken?—A. I do not know the man's name; I forget.

Q. Wasn't your evidence taken before M. S. Kline, the commissioner before whom you are now giving testimony?—A. I think it was. (Pointing at me, the witness says:) I think that was the man; I think perhaps that was his name.

Q. Are you intimately acquainted with Jeff. Bish?—A. Yes, sir; as a neighbor.

Q. Did you see Jeff. Bish pay the collector of Horton Township a tax?—A. No, sir; I did not.

Q. Mr. Reedy, did you see the assessor of Horton Township personally assess Jeff. Bish?—A. No, sir; I did not.

Q. Then you don't swear that you know he, Jeff. Bish, was assessed?—A. No, sir; I wouldn't swear to that.

Q. Then you don't swear that you know that Jeff. Bish personally paid a tax in Horton Township at least one month before November 5, 1878?—A. No, sir, I would not swear to that; he owns land.

Q. How do you know that he owns land?—A. Why, he bought it and paid for it, I heard him say—I heard the man say that he bought it of.

Q. You say that you heard it reported that he owns land, do you not?—A. Yes, sir.

Q. Then you don't swear, if all you know about it is hearsay, that you know he owns land?—A. Yes, sir; just hearsay.

Q. You say you gave Jeff. Bish a ticket; might he not have received tickets also from others the day before or on that day, November 5, 1878, for all you know?—A. Yes, sir; I gave him a ticket, but I didn't say but what he might have had tickets from others, and I saw him just put in a ticket.

Q. Might Jeff. Bish have simply voted a blank, for all you know of your own knowledge?—A. He might have, but I don't think he would.

Q. Mr. Reedy, of course then you don't swear that you know what Jeff. Bish positively did vote at the polls in Horton Township, November 5, 1878?—A. No, sir; I wouldn't swear to it positive.

Q. Who gave you the ticket you voted on November 5, 1878?—A. Well, no man in particular; I got one myself, and could read part of it.

Q. Can you remember where you obtained it, or from whom?—A. Well, there was a man writing tickets, and I just picked up one of them and see the man's name that I wanted to vote, and see if it was right.

Q. Do you remember whether the name of the candidate for Congress for whom you allege to have voted was in writing on that ticket?—A. Yes, sir; in writing.

Q. Did you see the words "For Representative" on that ticket?—A. Yes, sir; for Congress.

Q. They were in writing, too, were they not?—A. Yes, sir; I think they were.

Q. Now, do you say that you are sure that the words "For Congress" were on that ticket at all?—A. Yes, sir; I wouldn't be real positive, now when I come to think that they were all written. I got the election a little mixed up; they might have been printed. I won't be positive that they were written, now come to think about it.

Q. Did you pay a tax prior to October, 1878, in Horton Township; and, if so, to whom?—A. I think to Thomas Burchfield. I have receipts for it at home; I haven't them with me.

Q. Did you pay a tax to Thomas Burchfield yourself directly or through a third party?—A. Well, I paid it in scrip, and Burchfield asked Mr. Horton right at the time if it would be all right to take it, and he said it would.

Q. Was this scrip with which you paid your tax to Burchfield legal money of the United States?

(Objected to by counsel for contestee as irrelevant.)

A. Well, I don't think it is; it calls for merchandise and so on. Burchfield asked Horton if he would give him money for it, and he said he would.

Q. This scrip then with which you paid Burchfield is an order simply upon the firm of Short & Horton for merchandise, is it not?—A. Yes, sir; I think it is. They redeem it; it is redeemable.

Q. You were laboring at the manufacture of lumber, were you not, in the year 1878, and for Short & Horton?—A. Yes, sir; lumbering.

Q. Weren't you on what is called Bear Run in the fall of 1878, putting in logs for Short & Horton?—A. I was working for them by the month on Bear Run.

Q. Did you not keep what is known as Reedy's Camp, on Bear Run, in the fall of 1878, prior to November 5, 1878?—A. Yes, sir; I had my wife and family there. I did not move there. I had my wife and family there. I did not move my furniture.

Q. Mr. Reedy, do you say to-day on your oath that you didn't take household goods with you and your family into Reedy's Camp, on Bear Run?—A. No, sir; I did not take furniture there for housekeeping.

Q. Didn't you take some articles with you that were used by you in that camp as furniture?—A. Not on positive purpose.

Q. You did take something along with your family in the way of household goods?—A. One high chair and one rocking-chair, and one of them I bought after I was there.

Q. Didn't you take some bedding?—A. Yes, sir, I took one bed; that's bed-clothing just.

Q. Well, didn't you take some other things?—A. A sewing-machine and a trunk.

Q. Didn't you take some pails, dishes, or something of that kind?—A. No, sir, I think not; not that I know of.

Q. Then you now swear that you did take some furniture with you?—A. As I told you, one chair, and bought one after I was there.

Q. You don't know, do you, where the township line is that separates between Fox and Horton Townships, in the region of Bear Run?—A. No, sir; I do not know.

Q. Did you ever see James McClellan in the region of Bear Run?—A. No, sir; I never saw him on Bear Run, on any business that I know of.

Q. When did you take your family and the household goods sworn to by you and go into Reedy's Camp, on Bear Run?—A. At the upper camp, that's at the line, or somewhere near the line; we moved there about the last of September, 1878, or somewhere near that.

Q. Might the camp you moved into, by you and your family, about the last of September, 1878, have been in Fox Township for all you positively know about it?—A. It might have been and might not have been. I would not be positive, for I don't know. I tried to find out, and could not, whether it was out of Horton Township or not.

Q. Can you swear to the date of an assessment in 1878 made on you?—A. I couldn't swear to it because I do not know.

Q. Then can you swear at all to the date of an assessment on you in 1877?—A. I could not, when it was; I couldn't swear to the date.

Q. You paid a road tax in 1877, did you not?—A. Yes, sir; I did.

Q. And that was the tax you had reference to in your direct testimony, was it not?—A. Yes, sir, and all other tax I paid.

Q. Did you pay said tax in 1877 yourself, directly; if so, was it in scrip?—A. I wouldn't be positive whether it was scrip or money. I think it was money.

Q. You don't remember well enough about the tax in 1877 to swear positively now in regard to it?—A. No, sir; I would not like to swear to it positively, but I think I could find out, if it would be necessary. I have got the receipts.

Q. You remained at Reedy's Camp, that is, kept the camp till quite late in the winter, did you not?—A. Till along in January some time; towards the last.

Redirect by W. W. AMES, Esq.:

Q. State whether you were keeping house in Horton Township immediately before going to Reedy's Camp, in the fall of 1878?—A. Yes, sir; I was keeping house in Horton Township.

Q. How long had you been keeping house there before that time?—A. Six or seven years. I wouldn't be positive just how long it is.

Q. Where did you leave your furniture at the time that you moved or went to Reedy's Camp?—A. In the house that I owned or the house that I lived in.

Q. State whether you have been yearly assessed and have yearly paid a State or county tax since you were keeping house.—A. Yes, sir; paid tax and was assessed.

Q. When you finished the job at Reedy's Camp, did you remain there or move away?—A. Yes, sir; we went back to my house; we didn't stay there.

Recross-examined:

Q. Can you remember now, and do you now say, that you were assessed as far back as 1874, and in 1874?—A. Yes, sir, to 1874. As far as that—a little further.

Q. Do you remember distinctly of being assessed in 1875?—A. Yes, sir.

Q. Do you swear that you know of your own knowledge that you were assessed in 1876?—A. Yes, sir.

Q. Who was present when you gave Burchfield the scrip mentioned by you in payment of your tax?—A. I wouldn't be positive; there were several around, but I don't remember who they were.

Q. Was Warren H. Horton present?—A. Yes, sir; I think he was.
G. REEDY.

G. A. BROCKWAY sworn and examined by W. W. AMES, Esq.

Question. What is your name?—Answer. G. A. Brockway.

Q. What is your age?—A. Thirty-one years.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. I have resided in the township since the township was organized.

Q. Are you a property holder?—A. Yes, sir.

Q. How long have you been a property holder?—A. Since 1870.

Q. What is your occupation?—A. Well, I could not just tell you how I am assessed. In the winter time I am lumbering and in the summer time farming.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. State whether you have been annually assessed, and have annually paid a State or county tax since you are a property holder?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Were you not a Republican in politics in the year 1878, and before that time?—A. Yes, sir.

Q. The Republican tickets in Horton Township in the fall of 1878—were they not printed without the name of any candidate for Congress upon them?—A. Well, I couldn't answer that question. I fixed and mixed up my ticket to suit myself.

Q. Then you prepared your own ticket that you cast at the polls in Horton district on November 5, 1878?—A. I prepared a part of it, and my State ticket was given me; I examined it and voted it.

Q. The name of the candidate for Congress for whom you say you voted—did you look carefully at your State ticket to see if it was on that ticket?—A. Yes, sir.

Q. You are quite sure, then, that the name "Yocum, for Congress" was on that ticket, are you?—A. Yes, sir.

Q. Was it on that ticket in writing or in print, or don't you remember about that now?—A. In print.

Q. Did you see the words "for Congress" near the name "Yocum" on that ticket?—A. I think I did; I was sure and examined the name that was there, but wasn't so particular about the office. I didn't think of any fraud or anything in election tickets; I wanted to be sure that I voted for the right man; that was why I examined my tickets.

Q. Do you say, then, that you don't remember distinctly the designation on the ticket of the office for which you voted Yocum?—A. I do not; I think I did know that the words "for Congress" were on the ticket.

Q. But, although you may have known at the time what was on the ticket, you don't swear now that you know what was on the ticket, do you?—A. I do not now remember, excepting the name Yocum. I will say that I examined my ticket and was certain that the name Seth H. Yocum was on the ticket, but am now not certain as to the office the man was to be elected for was on the ticket.

Q. Did you pay a tax yourself directly to the collector of Horton Township prior to October 1, 1878?—A. Yes, sir.

Q. Wasn't that your father's tax that you paid and have reference to?—A. It was company tax.

Q. What company tax?—A. C. Brockway & Son.

Q. To whom did you pay the company tax in 1878?—A. George W. Clinton.

Q. Can you give the date?—A. No, sir.

Q. Wasn't it a road tax that you paid Clinton for the company?—A. No, sir.

Q. Do you remember about the date of the assessment on the company of said tax?—A. No, sir; I don't exactly remember.

Q. You remember that the company was assessed, don't you?—A. Yes, sir.

Q. But can you say who assessed the company?—A. I say that I think George W. Clinton assessed the company; am not certain.

Q. Well, don't you now remember that George W. Clinton was not collector for 1878 in Horton Township?—A. I don't know as he was collector for that year. I paid him the tax and have the receipt, in the year 1878.

Q. Don't you know that Thomas Burchfield was collector of State and county tax for Horton Township in 1878?—A. I think he is.

Q. Well, the company tax, then, that you paid George Clinton, and which you think was assessed by George Clinton, was the tax against the company for 1877, wasn't it?—A. I think it was.

Q. Are you sure that said company tax which you paid Clinton was a State and county tax?—A. Yes, sir.

Q. Weren't you individually assessed with a State and county tax?—A. I am certain it was company tax.

Q. Didn't some one talk to you to-day about what you should say in regard to tax and other things before this commission?—A. No, sir; nobody said anything to me what I should say in regard to tax and other things.

Q. You do not swear to the date of the assessment, neither to the date of the payment of tax, do you?—A. No, sir.

Q. Where, at what place, did you get your tickets?—A. At the election-house.

Q. Did you not get the tickets from a desk within the election-house while the polls were open on November 5, 1878, in Horton district?—A. Some one handed me a bunch of tickets, but I don't remember who; I examined the ticket, concluded to vote part of it.

Redirect:

Q. Who composes the firm of C. Brockway and Son?—A. Chancey Brockway and myself.

Q. Have you individual property?—A. I calculate that I have, since last spring some time; I don't remember the day I bought the farm, but I suppose the last assessment was made a company assessment, because I think that the assessor knows nothing of the contract.

G. A. BROCKWAY.

DAVID NULF sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. David Nulf.

Q. What is your age?—A. I was twenty-nine the 18th day of last February.

Q. Where did you reside November 5, 1878?—A. Horton Township, Elk County, Pennsylvania.

Q. How long had you lived there at that time?—A. Two years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I did.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. I don't recollect who all was on the ticket—W. H. Horton.

Q. What party ticket did you vote at that time?—A. I voted the Greenback ticket.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what place in Horton Township did you reside in 1878?—A. I resided on the widow Wilcox's place, within about a mile and a half of Brockport, to the best of my knowledge.

Q. Are you a married or a single man?—A. I am a married man.

Q. Were you in 1878 a married man?—A. Yes, sir.

Q. What was your business more or less of the time in that year?—A. Days' work.

Q. Didn't you work at lumbering somewhat in 1878?—A. Yes, sir.

Q. For Short & Horton, did you not?—A. Yes, sir.

Q. Are you the owner of the Wilcox place, on which you lived in 1878?—A. No, sir; I was not.

Q. Were you, on any time that you can swear to, assessed in 1878?—A. I was assessed, but then I wouldn't swear to it.

Q. To whom did you pay a State or county tax in the year 1878?—A. Mr. Burchfield.

Q. When did you pay it?—A. Along some time in May, but I don't just recollect what date.

Q. Where were you when you paid it?—A. At Mr. Burchfield's.

Q. Well, sir, wasn't it Warren H. Horton who paid your tax that year?—A. No, sir; it was not.

Q. How did you pay the tax?—A. With the money.

Q. Did you take a receipt there and then for the same?—A. Yes, sir; I did.

Q. Did you not leave this township for a while in 1878?—A. I left my family here, but I went, of course; I was out in the backwoods.

Q. You went out of the township, did you not?—A. I did.

Q. Do you know whether your family went out of the township in 1878?—A. They did not while I was absent.

Q. Did they go out of the township at all in 1878?—A. Yes, sir.

Q. Didn't you go along with your family?—A. Yes, sir.

Q. Do you know whether all the names on your ticket were names of Greenbackers?—A. I don't know if they were all Greenbackers or not; it was the Greenback ticket I voted; at least, they supposed to be.

Q. You say, do you not, that you voted for Warren H. Horton for representative on the Greenback ticket?—A. Yes, sir; I voted for him.

Q. Did you read the words "for representative" near his (Warren H. Horton's) name on the Greenback ticket?—A. I don't remember; I remember of reading the ticket; I don't remember of seeing it near his name.

Q. It is your impression, however, is it not, that "for representative," as the office for which he was running, was near his name on the ticket?—A. He was running for I don't remember just what office; for assembly, I believe, is what he was running for.

Q. Did you see the name of the office on the ticket, near his name?—
A. I seen the name of the office, but how close his name I don't remember.

Q. Can you read and write?—A. Yes, sir.

Q. Then you prepared the tickets, didn't you?—A. Jack Allen prepared my ticket.

Q. Do you swear that you know that you voted for any one but Warren H. Horton?—A. I voted for—Yocum, I believe, was on the ticket.

Q. Was he on your county or your State ticket?—A. I don't remember.

Q. Do you remember that you examined your State ticket?—A. I did.

Q. Well, then, don't you remember that Yocum's name was on it?—
A. I don't remember.

Q. Who came to you and assessed you in the year 1878?—A. Mr. George Clinton.

Q. Did he come to you and tell you that he would assess you?—A. Yes, sir.

Q. Wasn't it with a school tax that he assessed you?—A. I believe not.

Q. Don't you know that Walter Rudolph was the assessor for Horton Township for 1878 for all taxes but school tax?—A. I don't remember.

Redirect:

Q. State whether you were keeping house on the Wilcox place in 1878?—A. Yes, sir; I was.

Q. During the whole year?—A. From April till in December.

Q. State whether you were assessed and paid a State or county tax in 1877?—A. Yes, sir; I did.

Re-cross-examined:

Q. Who assessed you in 1877?—A. Well, I don't remember who.

Q. You don't swear to the date either, do you?—A. No, sir.

Q. With what were you assessed, if assessed at all, in 1877?—A. I was assessed as a laboring man.

Q. To whom did you pay tax?—A. Well, I don't remember if it was Mr. Burchfield or who it was any more.

DAVID NULF.

J. B. TRUMBULL sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. My name is James B. Trumbull.

Q. What is your age?—A. Thirty-three.

Q. Where do you reside?—A. I reside in Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. It will be five years the 17th of April since I came here to live, and have been here ever since.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Well, I think I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I paid State and county tax every year since I have been here, except 1879.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. I voted for Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. To whom did you pay tax in 1877?—A. I would like to have him say what kind of tax; I paid tax to different men—State and county, I suppose you mean.

Q. Did you pay a State and county tax in 1877; and, if so, to whom?—A. I did, and to Thomas Burchfield.

Q. Can you mention the date?—A. I cannot.

Q. Who assessed you for said tax?—A. George W. Clinton.

Q. Wasn't George W. Clinton collector, also, as well as assessor in 1877?—A. Well, I couldn't say.

Q. Well, you are positive, are you, that you paid Thomas Burchfield a State and county tax in 1877?—A. Yes, sir.

Q. Are you positive that Thomas Burchfield was collector of State and county tax in Horton Township for the year 1877?—A. I don't know.

Q. Then you don't swear that you paid a State and county tax in 1877 to a person whom you knew was collector in Horton Township of said tax?—A. I paid State and county tax to Thomas Burchfield in 1877; I don't know whether he was collector or not; he had the duplicate.

Q. Can you swear to the date of an assessment on you in 1878?—A. No, sir.

Q. Did anybody come to you to talk with you about what property you might have, and assess you?—A. Yes, sir.

Q. Who assessed you?—A. George W. Clinton.

Q. In 1878?—A. Yes, sir.

Q. Didn't George W. Clinton in 1878 assess you simply with school tax?—A. I suppose he did.

Q. To whom did you pay the tax assessed by Clinton in 1878?—A. Thomas Burchfield.

Q. Did you take a receipt or not?—A. I did not for 1878.

Q. The tax you paid Burchfield in 1878, was it not the tax that belonged to the year 1877?—A. No, sir.

Q. The tax that you paid Burchfield in 1877, was not it the tax that belonged to the year 1876?—A. I couldn't say.

Redirect:

Q. State whether or not Thomas Burchfield held any township office in 1877.—A. He did.

Q. What was that office?—A. Constable of the township.

JAS. B. TRUMBULL.

T. W. SPACE sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. T. W. Space.

Q. How old are you?—A. Twenty-three, past.

Q. Where did you reside November 5, 1878?—A. Horton Township, Elk County, Pennsylvania.

Q. How long had you lived there?—A. Three years the 15th of last December since I first came there.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I claim so to be.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. My tax was paid by my order by W. H. Horton.

Q. When?—A. It must have been paid on the 1st of October, by the receipt I got.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name?—A. If I remember, it was Seth H.

Cross-examined by GEORGE R. DIXON Esq.:

Q. You went into Clarion County for a while in 1878, did you not?—A. In 1878 I was in Clarion County; I started on the 2d day of July, and I was one week at home at my father's; then I came back.

Q. That is, in July of 1878 you went home to your father's house in Clarion County?—A. Yes, sir.

Q. When did you return into Horton Township again?—A. Well, I can't name just the exact day, but I was gone only a week.

Q. Wasn't your vote at the polls in Horton election district on November 5, 1878, challenged?—A. It was not.

Q. Wasn't there a considerable talk by the election board as to your residence before you voted?

(Objected to by counsel for contestee as not being cross-examination, irrelevant, and incompetent.)

A. It was not.

Q. Didn't you go away out of Horton Township in the fall of 1878 and before election?—A. No, sir.

Q. Did your father come into Horton Township with you on your return, and live there?—A. No, sir.

Q. How old did you say you were?—A. Twenty-three, past.

Q. Can you swear to the date of an assessment in 1878 on you in Horton Township?—A. No, I cannot.

Q. Did an assessor come to you, inquire of you about what property you might have, and assess you?—A. He did.

Q. Who was the assessor who thus did?—A. W. Rudolph.

Q. With what were you assessed?—A. Nothing only my occupation.

Q. You say Warren H. Horton paid your tax for you to Burchfield in 1878; did you see Warren P. Horton pay Burchfield said tax?—A. I did not.

Q. You have a receipt dated October the 1st, in regard to that tax, have you?—A. I have.

Q. Did you see Mr. Burchfield make out that receipt?—A. I did not.

Q. Then you don't know that Mr. Burchfield did make out a receipt for the payment of said tax by W. H. Horton?—A. Horton gave me the receipt and said that was my tax receipt.

Q. You were laboring for W. H. Horton at that time, were you not?—A. No, sir.

Q. Did you have an account with W. H. Horton, or was there no account between you?—A. No, sir.

Q. You got your ticket up at the election-house in Horton Township on election day, didn't you?—A. Yes, sir.

Q. Did you go into the election-house and get your tickets from the desks while the polls were open?—A. I met O. E. Sherman in the hall and he gave me my ticket.

Q. The hall where O. E. Sherman gave you these tickets was the room where the election-board and ballot-box were?—A. It was not.

Q. Was this hall in which O. E. Sherman gave you these tickets an apartment in the election-house?—A. If I understand what an apartment is—a room under the same roof—it was.

Q. You can read and write, can you not?—A. I can.

Q. You saw Mr. O. E. Sherman have several tickets, did you not?—A. I only saw him have the one that he gave me.

Q. You voted, then, a State ticket, did you not?—A. Why, I didn't look at my bunch of tickets what they were, only I opened one, glanced over it, and I seen Yocum's and Horton's name on them; filled them up and went and handed them in.

Q. You don't swear, then, whether these names just mentioned by you were on the State ticket?—A. They were on the ticket; I don't say whether State or what.

Q. If you don't know what ticket Yocum's name was on, you can't tell what office you voted him for, can you?—A. I guess I can.

Q. Well, what words were near the name Yocum on your ticket, to show what office you voted him for?—A. I didn't look at no words; I just glanced over and saw the name of Yocum on my ticket, folded it up, and didn't pay no more attention to it.

Q. Mr. Space, do you remember now the very day and date when W. H. Horton gave you the receipt?—A. November 5, 1878.

Q. It was at the election house on election day where he gave you the receipt, was it not?—A. It was.

Q. When he gave you the receipt—that is, W. H. Horton gave you the receipt, at the election house in Horton district, November 5, 1878—did he tell you that the tax was paid and that he paid it?—A. No, sir; he only handed me my receipt and told me, "Here is your tax receipt."

Redirect:

Q. State whether Mr. Burchfield ever said anything about the payment of that tax; and, if so, what.

(Objected to by counsel for contestant, in that the answer sought by the question is incompetent matter.)

A. Why, I asked him a few days before the election if Horton had paid my taxes, and he said that he had.

THOMAS W. SPACE.

THEODORE FOX sworn.

(The above witness not examined because no notice had been given to the contestant by the contestee of the intention of the contestee to examine him to-day.)

JAMES JACKSON sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. James Jackson.

Q. What is your age?—A. Thirty-seven last December, 16.

Q. What town, county, and State do you reside in?—A. Fox Township, Elk County, Pennsylvania; Horton Township, I mean.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you vote at Horton election district at the general election there held on the 5th day of November, 1878?—A. Yes, sir.

Q. Did you at said election vote for a person for the office of Repre-

sentative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote at said election for Representative in Congress of the twentieth Congressional district of the State of Pennsylvania, on the 5th day of November, 1878?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there is no proof that the ballot has been lost or destroyed.)

A. Seth H. Yocum.

Q. How long have you resided in Horton Township?—A. Ever since it was a township.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what place in Horton Township do you reside?—A. Mead Run.

Q. At what were you laboring in 1878, more or less?—Driving team.

Q. Can you swear at all to the date of an assessment on you in 1878?—A. I don't know as I could; I don't remember about that.

Q. Do you remember the date of any assessment on you in 1877?—A. I don't remember anything about it.

Q. Can you swear that an assessor came to you and inquired of you as to what property you might have and assessed you in 1878?—A. Yes, sir.

Q. Do you remember the date on which you paid State or county tax in 1878?—A. I can tell you in a minute. (Witness looking at paper says;) May 9.

Q. Did you pay the tax in question on the date last above mentioned?—A. Yes, sir.

Q. Did you obtain your ticket at the election-house on November 5, 1878?—A. Yes, sir.

Q. Did you examine your ticket before voting, November 5, 1878?—A. Yes, sir.

Q. Did you vote a State ticket on that day?—A. Yes, sir.

Q. On what ticket that you voted was the name Yocum?—A. County ticket, wasn't it?

Q. Did you vote two tickets at that election?—A. Two tickets, but not two of the same kind.

Q. Do you remember clearly whether there was any office named on the ticket you voted for which you voted for Mr. Yocum?—A. I don't remember anything about that.

Q. Well, Mr. Jackson, is it clear to you now on what ticket (I mean State or county) did you vote Mr. Yocum?—A. I don't know; I guess it was on the county if I remember right.

Q. You are a married man and a housekeeper, are you not?—A. Yes, sir.

Q. Your family was not out of the county and Horton Township in 1878, was it?—A. In Brockwayville several times; of course, never moved out of it to live out of it.

Redirect:

Q. Was or was not the word "Congress" upon the ticket you voted for Yocum on the 5th day of November, 1878?

(Objected to by counsel for contestant, in that the question is a leading one, implying an answer and putting the same into the mouth of the witness.)

A. Certainly it was, but that wouldn't spell office.

Recross-examined:

Q. Do you remember whether there was any office named on the ticket for which you voted Mr. Yocum?—A. Yes, sir.

Q. Why did you not say "Yes, sir," when you were asked that question before?—A. I didn't understand you. I understood you to say the word "office."

Q. Now, wasn't Seth H. Yocum running for Representative, and didn't you vote for him for Representative?—A. Representative to Congress, of course.

Q. If you voted for Seth H. Yocum for Representative to Congress, then the words "Seth H. Yocum for Representative to Congress" were on your ticket, were they not?—A. I didn't remember about Representative being there. I am certain that the word "Congress" was there.

Q. Then you don't remember that there was anything else but the word "Congress," with the name Seth H. Yocum?—A. I don't remember whether there was anything else or not, but I guess not.

Q. Do you remember whether the name Seth H. Yocum was printed or written on the ticket you voted?—A. Printed.

Q. It was a printed paster, was it not, that contained the name of Seth H. Yocum?—A. No, sir.

JAMES JACKSON.

HENRY YALE sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. Henry Yale.

Q. What is your age?—A. I was 27 years old the 28th of last July.

Q. Where did you reside November 5, 1878?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Somewhere near sixteen years.

Q. Had you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I did.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Sess H. Yocum, if I ain't wrongly informed.

Q. State whether you have paid a State or county tax in 1877.—A. Yes, sir; I did.

Cross examined by GEORGE R. DIXON, Esq.:

Q. In what part of Horton Township did you live in 1878?—A. In the eastern part.

Q. Weren't you out of Horton Township for a while in 1878?—A. Yes, sir.

Q. Now, sir, state when you went out of Horton Township.—A. Well, it was about the last of April.

Q. Did you go out of the State, or where did you go?—A. No, sir; I didn't; I was down in the lower end of Jefferson County.

Q. Did the assessor come to you in 1878 and inquire of you as to what property you might have, and assess you?—A. He came to my wife. I was about a mile from home that day, drawing logs.

Q. Do you remember the date?—A. Not just particularly I don't.

Q. Well, sir, can you swear that you were assessed in 1878?—A. Well, I believe that if my wife informed me right it's correct.

Q. Your vote was challenged at the polls in Horton Township on November 5, 1878, wasn't it?—A. Not to my recollection.

Q. Well, sir, don't you know that your name was not on the registry?—A. Well, Mr. Rudolph came there to the election and told me and a number of the rest of them that my name was on the registry.

Q. How did he come to tell you that your name was on the registry?—A. Because some of them disputed it.

Q. Who disputed it?—A. Well, I just disremember who it was.

Q. Was it some one around the election board who claimed that your name was not on the registry?—A. No, sir; it wasn't.

Q. Wasn't this talk about your name not being on the registry about the time you offered your vote?—A. No, sir.

Q. Was it after you voted?—A. Yes, sir.

Q. Did you go around from the polling window into the election house and there take and subscribe to any oaths or affirmations?—A. I went around in the election house. They didn't ask me for no evidence.

Q. What made you go around into the election house?—A. To get to the fire.

Q. Wasn't it to give evidence as to the matter of your name not being on the registry?—A. No, sir.

Q. To whom did you pay a tax in 1878?—A. I just disremember now.

Q. Can you swear to the date on which you paid a tax in 1878?—A. No, sir.

Q. Did you pay a tax in 1878?—A. Well, that's more than I can say. It was so near betwixt 1877 and 1878 that I couldn't be positive.

Q. Then, if you paid a tax in 1877 or 1878, it was about the 1st of January, 1878, was it not?—A. I don't remember.

Q. You havn't paid a tax since the payment of the tax you just mentioned?—A. I paid tax in the last two years, but I just disremember what time.

Q. The tax that you paid within two years was a road and poor tax, wasn't it?—A. No, sir.

Q. Did you pay the tax directly into the hands of the collector, or did you have some one else pay it?—A. I paid it.

Q. How many tickets did you vote in Horton election district on November 5, 1878?—A. I didn't vote twice for one man.

Q. You only voted one ticket then at that election?—A. Well, just as I told you. I didn't vote twice for one.

Q. Was it a State ticket that you voted?—A. Yes, sir.

Q. Can you read and write readily?—A. No, sir.

Q. Then you did not prepare your own ticket, did you?—A. I believe I did.

Q. You don't know, though, of your own knowledge, what was on it, do you, only what some one told you?—A. Well, it was give to me in such a shape that I had no reason to disbelieve it.

Q. You could not, however, read the names yourself, could you?—A. If I even could, I didn't try.

Q. Then you really did not read the names that were on your ticket?—A. No, sir.

Q. You said in your direct testimony that you voted for Seth H. Yocum, if you were not wrongly informed, did you not?—A. Yes, sir.

Redirect:

Q. Were you sworn on election day, November 5, 1878?—A. No, sir.

Q. When did you return from Jefferson County?—A. In about eight days.

Q. After you went away?—A. Yes, sir.

Q. How many pieces of paper was the ticket you voted composed of?—A. I don't remember.

Q. Was there more than one?—A. I don't remember how many.

Q. Do you remember whether you voted judiciary, county, and State tickets?—A. I believe I did.

Re-cross-examined:

Q. Mr. Yale, you don't know of your own knowledge, but only from hearsay, that you voted a State and a judiciary ticket, do you?—A. No, sir.

Q. You did not read any of the tickets that you voted, did you?—A. No, sir.

HENRY YALE.

HIRAM SWARTWOOD, sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. Hiram Swartwood.

Q. What is your age?—A. Forty-nine.

Q. What town, county, and State do you reside in?—A. Horton Township, State of Pennsylvania, I suppose Elk County.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. How long have you resided in Horton Township?—A. I came here in the spring of 1859, and I have been here ever since, with the exceptions of about two years and a half, I think, I was away.

Q. Did you reside where you now do in 1877 and 1878?—A. I lived in about a mile of the place I live now in 1877.

Q. Was it in Horton Township that you lived in 1877 and 1878?

(Objected to by counsel for contestant in that it is a leading question and implies an answer.)

A. I believe it was.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir; I did.

Q. Did you vote at the general election held in the Horton election district on the 5th day of November, 1878?—A. Yes, sir; I did.

Q. Did you vote at said election for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania? A. Yes, sir.

Q. For whom did you vote for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania at Horton election district on the 5th day of November, 1878?

(Objected to by counsel for contestant as incompetent; the ballot itself being the best evidence, and there is no proof that the ballot is lost or destroyed.)

A. For Yocum.

Q. Do you or do you not know the given name of the man Yocum for whom you voted at such election?—A. Seth Yocum, I believe, if I recollect right.

Cross examined by GEORGE R. DIXON, Esq.:

Q. To whom did you pay tax in 1878?—A. I believe it was in the spring of 1878 I paid a tax. In the spring of 1877 it was when I paid the tax; I made a mistake in that.

Q. What kind of a tax was it that you paid in the spring of 1877?—A. State and county and school tax.

Q. This tax that you paid in the spring of 1877, was it not a tax which belonged to the year 1876?—A. Why, I suppose it was.

Q. Do you remember about the time in 1876 when that tax was assessed?—A. No, I don't recollect the time.

Q. Do you remember who you paid the tax to?—A. Thomas Burchfield.

Q. Did you pay Thomas Burchfield yourself, or did some one else pay him?—A. I paid him myself.

Q. How many different kinds of tickets did you vote on November 5, 1878, in Horton election district?—A. Well, I don't recollect now.

Q. You voted but one ticket, did you?—A. Why, I voted a straight ticket. It was in just one piece of paper, I think.

Q. That ticket or piece of paper that you voted, was it headed "State ticket"?—A. I believe it was, if I recollect right.

Q. Did you read the ticket through before you voted it?—A. Yes, sir.

Q. On this State ticket which you think you voted, are you sure you saw and read the name Seth Yocum?—A. Yes, sir.

Q. Was the name of the office for which you voted him on the ticket?—A. Yes, sir.

Q. What was on the ticket to show the name of the office for which you voted him?—A. For Representative.

Q. Then on the ticket which you voted were the words "Seth Yocum for Representative," were they not?—A. Why, I believe that is what his name was, Seth.

Q. What was your business in 1878?—A. I was working by the day or month, sometimes by the day and sometimes by the month.

Q. Did you work at lumbering any in that year; and, if so, where?—A. I don't recollect where I was; I think I was at lumbering in the latter of part of the winter.

Redirect:

Q. Who was collector of State and county taxes in Horton Township in the year 1877?—A. I think Thomas Burchfield was.

Q. Then who was his successor?—A. Thomas Burchfield, I think.

Q. When, if you know, was George W. Clinton collector of the taxes of that township?—A. I don't recollect; I think that he was collector, but I don't recollect; I don't now recollect.

Q. On the ballots that you cast at the Horton election district on the 5th of November, 1878, was the word "Congress"?

(Objected to by counsel for contestant, in that the question is a leading one, suggests and implies an answer sought, and puts the answer sought into the mouth of the witness.)

A. Why, I think so.

Q. Was or was not the word "Congress" upon the ticket which you cast at the election in Horton election district on the 5th of November, 1878, for Seth Yocum?

(Objected to by counsel for contestant, in that the question leads the witness to give an answer which the question suggests.)

A. I think it was.

Recross-examined:

Q. You say you think the word "Congress" was upon the ticket you voted November 5, 1878, in Horton district; now do you swear that you positively know that the word "Congress" was upon that ticket?—A. I said I think it was; I ain't a going to contradict my word as soon as that; you fellows are getting very particular about a thing like that.

H. SWARTWOOD.

Not being able to complete the taking of said depositions, by consent of parties, I adjourned the further taking of the same to Friday, March 21, 1879, at eight o'clock in the forenoon, at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL, HORTON TOWNSHIP,
ELK COUNTY, PENNSYLVANIA,
Friday, March 21, 1879.

Having met pursuant to adjournment, we resumed the further taking of said depositions.

Present, George R. Dixon, esq., counsel for contestant, and W. W. Ames and C. E. Lyman, esqr., counsel for contestee.

B. A. ROGERS sworn and examined by W. W. AMES, Esq.:

Question. What is your name?—Answer. B. A. Rogers.

Q. How old are you?—A. Twenty-six years old.

Q. Where did you reside November 5, 1878?—A. I resided at the Oyster farm at that time, Horton Township, Elk County, Pennsylvania.

Q. How long had you resided there?—A. About six months and a half.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within two years, which was assessed at least two months, and paid at least one month, before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Are you a married or single man?—A. A married man.

Q. Was your family with you at the Oyster farm, in Horton Township, while you were there in 1878?—A. Yes, sir.

Q. To whom, if any one, did you pay a tax prior to October, 1878?—A. Mr. George Clinton.

Q. Can you swear to the date on which said tax was paid?—A. Yes, sir.

Q. Give the date.—A. Twentieth day of August, 1878.

Q. Don't you know that George Clinton was not collector for Horton Township of tax in 1878?—A. Mr. Clinton presented the bill to me. I believe the tax was for 1877.

Q. The tax then that you allege to have paid Clinton on the twentieth of August, 1878, was the tax which was charged to you in 1877?—A. I believe it was.

Q. Well, you didn't live at the Oyster place, Horton Township, in 1877, did you?—A. I wasn't housekeeping at that time. My wife was there, and I made it my home there, at her father's.

Q. Then you have lived in Horton Township, at the Oyster farm, for more than six months and a half prior to November 5, 1878?—A. I made it my home there, but I was not there all the time.

Q. You were up in Fox Township some of the time, were you not?—A. A few days at a time.

Q. Can you swear to the date of an assessment made on you by the assessor of taxes in Horton Township?—A. I can't swear exactly to the date.

Q. Did any one come to you in 1877, inquire of you as to what property you might have, and assess you?—A. Yes, sir.

Q. Who thus assessed you in 1877?—A. Mr. Rudolph.

Q. Mr. Walter Rudolph?—A. Yes, sir.

Q. Don't you know that Mr. Walter Rudolph was not assessor for Horton Township in 1877?—A. I do not.

Q. You prepared your own ticket which you cast at the polls in Horton election district on November 5, 1878?—A. Yes, sir; I did.

Q. You were a Republican in politics, were you not?—A. Yes, sir; I was.

Q. Did you not take something of an active part in the political campaign in Horton district in the fall of 1878?—A. No, sir; nothing particular.

Q. You know, don't you, that the Republican tickets in Horton Township, in the fall of 1878, were printed without the name of any candidate for Congress upon them?—A. Yes, sir; I do.

Q. Then you placed the name of a candidate for Congress upon your ticket, did you not?—A. Yes, sir.

Q. Did you write the name of a candidate for Congress upon your ticket?—A. No, sir.

Q. Then, how did you put the name of the candidate for Congress upon your ticket?—A. By a printed paster.

Q. Might not the paster have come off before you cast the ballot?—A. I think not, as I was very particular about putting it on.

Q. Are you positive now that said paster did not come off the ticket before you cast it?—A. I am not positive, but I don't think that it did.

Q. When you put the paster on the ticket, what was printed on that paster, if anything?—A. The name of Seth H. Yocum.

Q. Do you remember the name from the paster, or from what you have heard talked or seen in print since this contest began?—A. From the paster.

Q. Do you remember whether there was any office named on that paster for which you voted Seth H. Yocum?—A. There was not.

Q. Then you did not designate on your ticket any office for Yocum, did you?—A. Yes, sir; the ticket itself did.

Q. What was on the ticket as a designation of the office?—A. For Congress.

Q. Are you sure that you did not cover up in part or in whole the words "For Congress" with the paster?—A. I am sure that I did not.

Q. The tax you allege to have paid Mr. Clinton, what kind of a tax was it?—A. County, if I am not mistaken. (Witness looking at paper says:) County.

Q. Have you the receipt with you for the payment of the tax paid Clinton?—A. Yes, sir.

Redirect:

Q. Who was the assessor, if you know, that preceded Rudolph in Horton Township?—A. I do not know as to that.

Q. Who assessed you, if anybody, in the year 1878?—A. I was assessed, but I can't tell at the present by whom; I forget.

B. A. ROGERS.

A. J. MYERS sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. A. J. Myers.

Q. What is your age?—A. Thirty-four.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. In what township, county, and State do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. Had you paid a State or county tax within two years that had been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Well, I know I paid it before, but I couldn't tell when it was assessed; that I don't know anything about.

Q. Did you pay a State or county tax in 1877?—A. I don't know whether I did or not. I had some receipts, but couldn't find them. I was looking for the receipts, but couldn't find them. I think I paid the tax.

Q. Have you been since 1876 a property owner in Elk County?—A. No; I own no property except a cow; a cow is all.

Q. Was you or was you not assessed with your occupation?—A. Yes, sir; I was assessed with an occupation.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878?—A. Yes, sir.

Q. At said election did you vote for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for Representative in Congress of the twentieth Congressional district of Pennsylvania, at Horton election district, November 5, 1878?—A. Seth H. Yocum.

Q. Mr. Myers have you been annually assessed with your occupation for the past four or five years or more?—A. I have; all except one year.

Q. Do you recollect what year that was?—A. I think that was 1876.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Can you swear to the date of an assessment on you by an assessor in 1878?—A. No, sir.

Q. The tax that you paid in 1878, did it not belong to the year 1877?—A. It belonged to the year 1878.

Q. Can you swear to the date on which you paid said tax?—A. No, I can't; not just the date. I know it was two or three months before the election.

Q. Who assessed you with said tax?—A. Walter Rudolph.

Q. To whom did you pay said tax?—A. Thomas Burchfield.

Q. At what place in Horton Township did you reside in 1878?—A. At the mouth of Mead Run.

Q. You examined and read over your ticket before you cast it, did you?—A. Yes, sir.

A. J. MYERS.

MARTIN FRANTZ sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. Martin Frantz.

Q. What is your age?—A. Forty-five next December.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. In what township, county, and State do you reside?—A. In Elk County, Horton Township, Pennsylvania.

Q. Had you paid a State or county tax within two years that had

been assessed at least two months and paid at least one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878?—A. Yes, sir.

Q. Did you at said election vote for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. I did, sir.

Q. For whom did you vote on the 5th day of November, 1878, in Horton Township, for the office of Representative in Congress?—A. I suppose that I voted for Yocum.

Q. Do you know the given name or initials of the man Yocum for whom you voted on that occasion?—A. Seth Yocum, I believe.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. Where, at what place in Horton Township did you reside in 1878?—A. Mead Run, near Hipple's there—I don't know any particular name for the place—it is called Mead Run.

Q. Do you remember the date of an assessment on you by the assessor for Horton Township in the year 1878?—A. I don't know the date.

Q. Did an assessor come to you, inquire of you as to your property, and assess you in 1878?—A. Yes, sir.

Q. Do you remember the name of the assessor? If so, give his name.—A. Rudolph.

Q. Can you give the date of the payment of a tax by you in 1878 in Horton Township?—A. (Witness looks at a paper, and says:) I paid my tax October 1.

Q. Did you on October the 1st get a receipt from the collector?—A. I didn't directly from the collector; it was handed to me by another man.

Q. Who handed you the receipt for the tax you paid Burchfield?—A. William Barrons.

Q. When was it that you first obtained the receipt?—A. It was a few days after the date of the receipt—not but a short time.

Q. Was the tax in question paid by you to Mr. Burchfield directly, or by the hands of another person?—A. Well, it was paid by another man; he told me he would pay the tax for me; that is, he owed me and would pay my tax.

Q. You did not see this man pay the tax, did you?—A. I didn't see him.

Q. He told you, did he not, that he would pay it?—A. Yes, sir; he told me so.

Q. The time you received the receipt was the first that you had official notice that your tax was paid?—A. Certainly it was.

Q. And the receipt was put into your hands by William Barrons, several days or a few days after October 1, 1878?—A. Yes, sir.

Q. Did you not have an account with the party who told you that he would pay your tax?—A. I had.

Q. You prepared and carefully read your ticket that you voted in Horton election district on the 5th of November, 1878?—A. Yes, sir.

Q. Do you remember whether there were two or more different kinds of tickets that you voted at said election?—A. I voted the Greenback ticket straight.

Q. Did you vote more than one piece of paper?—A. One piece; I think it was all in one piece.

Q. Was that piece of paper or ticket called the State ticket?—A. Yes, sir; it was.

Q. Were you working at lumbering in 1878; and if so, where?—A. In Horton Township, on Mead Run.

Redirect:

Q. Did you pay a State or county tax in 1877?—A. Yes, sir.

Q. Did you pay the tax of 1878 to Mr. Barron or to anybody else before one month previous to November 5, 1878?—A. I did; it was paid a month before.

Q. Can you or can you not clearly remember the name of the person for whom you voted at Horton election district for the office of Representative in Congress of the twentieth Congressional district on the 5th day of November, 1878?—A. I voted for Seth Yocum.

Q. Do you remember whether or not there was a middle letter to the name of Seth Yocum, for whom you voted at said election?—A. I don't remember distinctly whether there was; I think there was, but I don't remember.

Recross-examined:

Q. Was there the name of the office for which you voted Seth Yocum on the ticket?—A. Yes, sir.

Q. What was on the ticket designating the office for which you voted Seth Yocum?—A. Well, I don't remember anything more than the ticket.

Q. Was William Barron the man who told you he would pay your tax?—A. No, sir; he wasn't the man that told me so.

Q. To whom, if you remember, did you pay tax in 1877?—A. Jacob Moyer. I have a receipt for it.

Q. Was Jacob Moyer collector for 1877 in Horton Township.—A. He was collector for tax. I was then working in Fox Township; I was then living there.

Q. What kind of a tax was it that you paid Jacob Moyer?—A. A State and county.

Re redirect:

Q. What time in 1878 or 1877 did you move from Fox Township into Horton?—A. It was in March, 1878.

MARTIN FRANTZ.

E. D. ALDEN sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. E. D. Alden.

Q. What is your age?—A. Fifty-three.

Q. In what township, county, and State do you reside?—A. Horton Township, Elk County, and State of Pennsylvania.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Had you paid a State or county tax within two years before the 5th day of November, 1878?—A. I had.

Q. Had such tax been assessed at least two months and paid at least one month before said 5th day of November, 1878?—A. It had.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878?—A. I did.

Q. Did you vote at said election for a person for the office of Representative in Congress of the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote at Horton election district on the 5th day of November, 1878, for the office of Representative in Congress of the twentieth Congressional district of Pennsylvania?—A. Seth H. Yocum.

Q. Mr. Alden, for the past four or more years, have you been annually assessed and paid State or county tax?—A. I have.

Cross-examined by GEORGE R. DIXON, Esq.:

Q. In what locality or place in Horton Township did you reside in the year 1878?—A. About a quarter of a mile above Hellen Mill on Bear Run.

Q. What was your occupation at that time?—A. Well, I live on a little farm there, farmed it a little, worked in the carpenter-shop a little, and teamed it some.

Q. The tax that was assessed upon you for the year 1877, was it paid by you before the year 1878?—A. I don't think it was before 1878.

Q. Can you swear when you paid the tax in question?—A. I cannot; I have no receipt for that tax.

Q. That was the tax known as State tax, was it not?—A. State and county tax.

Q. Who, if you remember, assessed you for said tax?—A. I think it was Jacob Hartman; I may be mistaken, though.

Q. Then, as you remember it, Jacob Hartman assessed you in 1877, and in 1878 you paid the tax?—A. Yes. I think it was Hartman who assessed me; I wouldn't be sure of it.

Q. To whom did you pay this State and county tax in 1878?—A. George W. Clinton.

Q. You prepared, carefully read your own ticket that you cast in Horton district on November 5, 1878?—A. I did.

Q. How many different kinds of tickets or pieces of paper did you cast in Horton district at the election on November 5, 1878?—A. Well, I don't know as I can tell the exact number; it was either four or five, I think; I wouldn't be certain.

Q. Was the name of the office for which you voted Mr. Yocum on the ticket?—A. Yes.

Q. What was on the ticket to designate the office for which you voted Mr. Yocum?—A. Congress.

Q. The word "Congress" was near the name "Yocum," on your ticket?—A. I think it was.

Redirect:

Q. When you say there were four or five tickets or pieces of paper that you voted, which do you mean, the pieces of paper or tickets?—A. The pieces of paper.

Q. Were any of those pieces of paper that you voted, headed "State or county"?—A. They were.

Q. Which were they headed, or both?—A. Both.

Recross-examined:

Q. Do you mean that each piece of paper that you voted, was headed both "State and county"?—A. No.

Q. On which ticket, that is State or county, did you vote Mr. Yocum?—A. I think it must be State.

E. D. ALDEN.

Not being able to complete the taking of said testimony, by consent of parties, I adjourned the further taking of the same to Saturday, March 22, 1879, at eight o'clock in the forenoon, at the same place.

[SEAL.]

M. S. KLINE,
Notary Public.

BRANDY CAMP HOTEL,
HORTON TOWNSHIP, ELK COUNTY, PENNSYLVANIA,
Saturday, March 22, 1879.

Having met pursuant to adjournment we proceeded with the further taking of said depositions.

Present, C. H. McCauley and George R. Dixon, esqs., counsel for contestant, and C. E. Lyman, esq., counsel for contestee. 10.50 a. m.

A. D. ALDEN sworn and examined by C. E. LYMAN, Esq.:

Question. What is your name?—Answer. A. D. Alden.

Q. Was you an officer of the election board of the election held in Horton Township on the 5th day of November, 1878?—A. I was.

Q. What position did you hold upon that board at said election?—A. The position of clerk.

Q. By whom was you chosen or appointed clerk?—A. T. J. Taylor, one of the inspectors.

Q. At what time did the polls open?—A. I can't say positively; I think somewhere near eight o'clock.

Q. Was you there at the opening of the polls at the general election held in Horton Township on the 5th day of November, 1878?—A. I was.

Q. At what time in the day did the polls of said election close?—A. Seven o'clock.

Q. Was you at said election all of the time that the polls were so open?—A. I was.

Q. At the time a vote was cast did you write down the name of the voter?

(Objected to by counsel for contestant as leading.)

A. I did write it down.

Q. Was or was not the name of each voter called out when the ticket was offered?

(Objected to by counsel for contestant as leading.)

A. The name of each voter was called.

Q. By whom was the name of each voter so called?—A. T. J. Taylor.

Q. Was or was not T. J. Taylor one of the inspectors of that election?

(Objected to by counsel for contestant as incompetent, the election returns returned and on file in the prothonotary's office of Elk County, Pennsylvania, being the best evidence, and there is no proof that the said returns are lost or destroyed.)

A. He was an inspector.

Q. Was there or was there not a number attached or set opposite to the name of each voter?

(Objected to by counsel for contestant, first, as leading; second, incompetent, the election returns or paper made by the witness and returned as part of the election papers of said election held in said township or district being the best evidence, and there is no proof that it is lost or destroyed; also, that there is no competent proof of the existence of any such paper as referred to by counsel.)

A. There was.

Q. Was there or was there not a number corresponding to that fixed by you to the name of each voter, put upon the ticket cast by such voter?

(Objected to by counsel for contestant, first, as leading; second, incompetent, because there is no proof that the alleged ballots or papers were numbered; also, that if said alleged ballots or papers were numbered they would be the best evidence, and there is no proof of their loss or destruction.)

A. There was.

Q. What became of the list of voters made by you at the Horton election district on the 5th day of November, 1878?—A. I think it was sealed up in the ballot-box.

Q. At that time what was done with the ballot-box?—A. It was given to the judge of election and by him given to George Clinton justice of the peace.

Q. Were or were not all the ballots cast at said election placed in and sealed up in that ballot-box, so delivered by the judge of that election to George W. Clinton, justice of the peace?

(Objected to by counsel for contestant as leading.)

A. They were.

Q. What is the last knowledge you have of the list of voters made by you and of the ballots cast at the election held in Horton election district on the 5th day of November, 1878?—A. The last I saw of the ballots was when they were placed in the box with the list of voters. I saw the box delivered to the judge.

Q. Mr. Alden, during the day of that election on the 5th day of November, 1878, was there or was there not disturbance or disturbances at election?—A. There was not.

Cross-examined :

Q. Did you see each and every voter when he presented his ticket?—A. I wouldn't be positive. I don't know that I did see them all.

Q. Did you see each and every ballot numbered by Mr. Taylor that day? I mean did you see him number it?—A. I couldn't swear that saw him number every one of them.

Q. Did you see each and every one of the ballots put in the box?—A. I don't know that I seen them all.

Q. Don't you know that the poll-list made by you is now on file in Ridgway?—A. I don't know any such thing.

Q. Do you say that it is not so on file?—A. I won't say that it is not.

Q. Did you see the judge of election deliver the ballot-box to Mr. Clinton, justice of the peace?—A. I did not see him personally deliver it.

Q. Did you not say that he did so deliver it?—A. I believe I did.

Q. Then you do not know, of your own personal knowledge, whether it was so delivered, do you?—A. I do know that Mr. Clinton had the box in his possession at the last election.

Q. Then although you did not see the judge of election deliver the ballot-box to Mr. Clinton, you swear that he did personally deliver it?—A. I do not swear that he delivered it personally to Mr. Clinton.

Q. Do you know that he delivered it at all?—A. I know it was in Mr. Clinton's possession before the last election.

Q. Then, personally, you don't know how he got it?—A. I do not know by what means he got it.

Q. Were you and T. J. Taylor both Greenbackers?

(Objected to by counsel for contestee as irrelevant.)

A. I can speak for myself. I can't speak for Mr. Taylor. I was.

Q. Don't you know that Taylor was?—A. Not positively; I mistrusted it strongly.

A. D. ALDEN.

C. L. CHAMBERLIN sworn and examined by C. E. LYMAN, Esq.

Question. What is your name?—Answer. C. L. Chamberlin.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. Was you a member of the election board of Horton election district on the 5th day of November, 1878?—A. I was.

Q. In what capacity was you acting upon said election board?—A. As clerk.

Q. By whom was you appointed or chosen clerk of that election board?—A. Daniel Phalen.

Q. What was his position upon said election board?—A. Inspector.

Q. Who received the ballots at the window at the election held in Horton Township on the 5th day of November, 1878?—A. T. J. Taylor.

Q. At the time each ticket was offered at the window, was the name of the person offering it called by the inspector receiving it?

(Objected to by counsel for contestant as leading.)

A. It was.

Q. When, as those names were called, were they written down; and, if so, by whom?—A. They were, by myself and A. D. Alden.

Q. Was there or not a number attached to or set opposite the name of each voter so written down at the said election on the 5th day of November, 1878?

(Objected to by counsel for contestant as leading.)

A. There was a number written opposite each and every name.

Q. Was there or was there not a corresponding number to the one you mention as set opposite the name of each voter put upon the ballot then and there cast by such voter at the said election in Horton district on the 5th day of November, 1878?

(Objected to by counsel for contestant as incompetent and leading.)

A. There was.

Q. What became of the list of voters made by you at the Horton election district on the 5th day of November, 1878, as clerk of that election?—A. It was put in the ballot-box after the election polls were closed.

Q. What became of the votes or ballots that were cast at said election?—A. They were put in the ballot-box.

Q. Do you mean before or after they were counted?—A. Before and after, both.

Q. Was or was not, to your knowledge, that ballot-box containing those ballots and that said list of voters sealed up?

(Objected to by counsel for contestant as incompetent and leading.)

A. There was no tape there, but there was a string or something tied around in place of tape.

Q. What, if you know, was done with that ballot-box after it had been so closed?—A. I don't remember.

Cross examined:

Q. Did you see each and every voter who offered his vote that day?

A. I did.

Q. Did you see T. J. Taylor number each and every ballot that was cast that day?—A. I did not, for I was writing the names down, and did not take notice.

Q. Then you don't know whether Taylor numbered every ballot, do you?—A. I don't.

Q. Don't you know that Daniel Phalen took a few ballots at the window that day?—A. I don't.

Q. Did he take any?—A. Why, I don't know; I don't think he did.

Q. Did not Daniel Phalen number a portion of the ballots?—A. Not to my knowledge.

Q. Could he have numbered any and you not have known it?—A. I think not.

Q. Did not Hezekiah Horton, judge, number some of those tickets?—A. He did not.

Q. Did he not handle them?—A. Not till after the polls were closed.

Q. Did he not put some of them in the box?—A. No, sir.

Q. Did not Taylor put some of them in the box?—A. He did not.

Q. Then you swear positively that neither T. J. Taylor nor Hezekiah Horton, judge, put any tickets in the box that day?—A. I do.

Q. Could Taylor have put a different number on the several ballots and you not have known it?—A. He could.

Q. Then you do not know personally whether the number put on the ballots corresponded with your list, do you?—A. I don't know that all of them did.

Redirect:

Q. Was you at the election in Horton election district all of the time after the polls opened in the morning until after counting was completed on the 5th day of November, 1878?—A. I was.

Q. To your knowledge was the duties of that election-board held in Horton Township on the 5th of November, 1878, in anywise interfered with by persons not belonging to said election-board?

(Objected to by counsel for contestant: First, as leading; second, incompetent, because there is no proof that the witness on the stand has any knowledge of the duties of an election-board pertaining to a fair and legal election, and therefore his opinion is not evidence.)

A. It was not.

Recross-examined:

Q. How old are you?

(Objected to by counsel for contestee as not cross-examination.)

A. Twenty-four years old.

Q. How many election-boards have you been a member of?—A. Four.

Q. Were you ever a member of any board of election other than Horton Township?—A. No, sir.

Q. You were a member of the board, then, before you were of age, were you not?—A. No, sir.

Q. Could you be a member of four separate boards between the year in which you were twenty-one and now?—A. I don't know anything to hinder.

Q. Are not the members of the election-board elected for the term of one year?—A. They are; but what I understood you to mean was the different elections.

Q. Does not the same board hold both spring and fall elections?—A. It does.

Q. Do you consider it right and proper for a crowd of twenty-five or thirty persons other than the election-board to crowd around the ballot-box and argue and give directions to the board as to the right or qualifications of voters?—A. I do not.

Q. Are you a Republican?

(Objected to by counsel for contestee as irrelevant and incompetent to prove anything connected with the case at issue.)

A. A Republican.

Q. Were you out of the election-house November 5, 1878, during the election?—A. I was.

Q. More than once?—A. I think I was.

C. L. CHAMBERLIN.

(The counsel for the contestee asks or requests of the commissioner an attachment for Daniel Phalen, an absent witness.)

Capt. JAMES WOODWARD sworn and examined by C. E. LYMAN, Esq. :

Question. Captain Woodward, have you served a subpœna *duces tecum* upon Daniel Phalen, commanding him to appear before the commission at Brandy Camp, in the matter of the contest for a seat in the Forty-sixth Congress, between Hon. A. G. Curtin and Seth H. Yocum, esq., there being held, and to produce the ballot-box and ballot of the election held in Horton district on the 5th day of November, 1878, on this 22d day of March, 1879; if so, is that order or subpœna in your possession?—A. Yes, sir; I served the subpœna, and it is in my possession.

Q. Will you produce that subpœna?—A. Yes.

(Witness produces subpœna, and counsel for contestee offers it in evidence.)

No cross-examination.

The subpœna is put in evidence and hereto annexed and marked Exhibit A.)

JAMES WOODWARD.

The counsel for contestee having asked or requested of the commissioner to issue an attachment for an absent witness, as named in said request, the commissioner refuses to give any such attachment for the following reasons:

First. The subpœna on which the attachment is asked was issued by H. M. Powers, notary public, commanding the said Daniel Phalen to appear before him the said H. M. Powers, and therefore the appearance of said witness before me would not be in accordance with the command of said subpœna, and therefore said subpœna, as well as for other reasons, is irregular.

Second. That the act of Congress referred to in said subpœna does not give me, as a commissioner taking testimony, any authority to compel the attendance of witnesses.

M. S. KLINE,
Notary Pub'ic.

Erasures and interlineations.

The word "tell" erased in line 15, page 4 of sheet 1.

The words "not particularly" erased in line 22, page 2 of sheet 3.

The words "name of the" interlined in line 9, page 3 of sheet 3.

The word "partly" interlined in line 17, page 4 of sheet 3.

The word "month" erased in line 3, page 1 of sheet 4.

The word "he" erased in line 6, page 2 of sheet 4.

The word "was" erased in line 12, page 2 of sheet 5.

The word "State" erased in line 22, page 3 of sheet 5.

The words "by counsel for contestant" interlined in line 8, page 2 of sheet 6.

The letters "wh" erased in line 32, page 2 of sheet 6.

The letter "D" interlined in line 3, page 3 of sheet 6.

The word "for" erased and the word "of" interlined in line 2, page 4 of sheet 6.

The word "think" interlined in line 17, of page 4 of sheet 6.

The word "think" interlined in line 3, of page 2 of sheet 7.

The word "greenback" erased in line 21, of page 2 of sheet 7.

The word "what" erased in line 22, of page 2 of sheet 7.

The word "then" erased in line 23, of page 1 of sheet 8.

The word "have" interlined in line 25, of page 2 of sheet 8.

The word "what" interlined in line 14, of page 3 of sheet 8.

The word "that" erased in line 3, of page 2 of sheet 9.

The words "witness looks at paper" erased in line 7, of page 2 of sheet 9.

The word "own" interlined in line 16, of page 3 of sheet 9.

The word "known" interlined in line 20, of page 2 of sheet 10.

The words " " erased in lines 29 and 30, page 3 of sheet 10.

The word "in" erased in line 15, page 4 of sheet 10.

The word "your" erased in line 16, page 4 of sheet 10.

The word "paid" erased in line 6, page 1 of sheet 11.

The word "before" erased in line 27, page 1 of sheet 11.

The word "have" interlined in line 4, page 3 of sheet 11.

The word "only" interlined in line 8, page 3 of sheet 11.

The words "your examine" erased in line 13, page 4 of sheet 11.

The word "and" interlined in line 17, page 4 of sheet 11.

The word "eighteen" erased in line 10, page 1 of sheet 12.

The word "you" interlined in line 13, page 2 of sheet 12.

The word "any" erased and the words "to-day" interlined in line 30, page 3 of sheet 12.

The words "or not" erased in line 8, page 3 of sheet 13.

The word "Congress" erased in line 9, page 13 of sheet 13.

The word "a" erased and the word "two" interlined in line 32, page 3 of sheet 13.

The word "your" erased and the word "one" interlined in line 8, page 3 of sheet 14.

The word "in" erased in line 2, page 4 of sheet 14.

The word "any" erased and the word "any" interlined in line 3, page 2 of sheet 15.

The word "your" erased in line 16, page 2 of sheet 15.

The word "do" erased in line 27, page 2 of sheet 15.

The word "any" interlined in line 27, page 3 of sheet 15.

The word "paid" interlined in line 6, page 2 of sheet 16.

The word "know" interlined in line 3, page 3 of sheet 16.

The words "in politics" erased in lines 12 and 13, page 3 of sheet 16.

The words "he was" erased in line 7, page 4 of sheet 16.

The word "out" interlined in line 12, page 1 of sheet 18.

The word "not" interlined in line 25, page 1 of sheet 18.

The word "you" erased in line 8, page 2 of sheet 18.

The word "don't" interlined in line 6, page 4 of sheet 18.

The word "re" interlined in line 17, page 4 of sheet 18.

The word "further" interlined in line 20, page 2 of sheet 19.

The words "in the forenoon" interlined in line 22, page 2 of sheet 19.

The word "the" interlined in line 24, page 1 of sheet 20.

The word "said" interlined in line 23, page 2 of sheet 20.

The words "was paid" interlined in line 29, page 4 of sheet 20.

The word "know" erased and the word "owe" interlined in line 31, of page 4 of sheet 20.

The words "is it not" erased in line 29, page 1 of sheet 21.

The word "on" erased in line 22, page 2 of sheet 21.

The words "before you cast them all" erased in line 18, page 3 of sheet 21.

The word "did" erased and the word "that" interlined in line 16, page 2 of sheet 22.

The word "did" interlined in line 17, page 2 of sheet 22.

The words "I did" erased in line 14, page 4 of sheet 22.

The word "any" erased and the word "the" interlined in line 16, page 1 of sheet 23.

The word "take" interlined in line 19, page 1 of sheet 23.

The word "county" interlined in line 30, page 1 of sheet 23.

The words "or not" erased in line 9, page 3 of sheet 23.

The word "spo" erased in line 10, page 3 of sheet 23.

The figure "9" erased in line 16, page 4 of sheet 23.

The word "are" erased in line 23, page 3 of sheet 24.

The word "at" erased and the word "in" interlined in line 7, page 1 of sheet 25.

The word "have" interlined in line 25, page 4 of sheet 25.

The word "name" erased in line 9, page 2 of sheet 26.

The word "asked" erased in line 10, page 2 of sheet 26.

The characters "tfdl" erased in line 21, page 1 of sheet 27.

The word "Cong" erased in line 7, page 3 of sheet 27.

The word "for" erased in line 25, page 3 of sheet 27.

The word "me" interlined in line 16, page 4 of sheet 27.

The words "was paid" erased in line 6, page 1 of sheet 28.

The word "you" erased in line 18, page 1 of sheet 28.

The words "think any one" interlined in line 27, page 2 of sheet 28.

The word "heard" interlined in line 14, page 2 of sheet 29.

The word "for" erased in line 23, page 2 of sheet 29.

The words "of the State of Pennsylvania" erased in line 16, page 3 of sheet 29.

The word "down" erased in line 27, page 1 of sheet 30.

The word "you" interlined in line 10, page 1 of sheet 31.

The word "he" interlined in line 29, page 1 of sheet 31.

The words "Mr. H." erased in line 13, page 1 of sheet 32.

The word "Jay" interlined in line 20, page 1 of sheet 33.

The words "W. W. Ames, esq.," erased in line 23, page 4 of sheet 33.

The word "with" erased in line 5, page 4 of sheet 34.

The words "can you" erased in line 27, page 1 of sheet 35.

The word "for" erased in line 24, page 3 of sheet 36.

The words "a person" erased in line 25, page 3 of sheet 36.

The words "2. Did you" erased in line 19, page 4 of sheet 36.

The word "paid" interlined in line 32, page 4 of sheet 36.

The words "the one" interlined in line 17, page 2 of sheet 37.

The word "how" interlined in line 23, page 2 of sheet 37.

The words "there was tax laid" erased in line 28, page 3 of sheet 37.

The words "Did you" erased in line 18, page 4 of sheet 37.

The word "the" erased in line 31, page 2 of sheet 38.

The word "the" interlined in line 5, page 3 of sheet 38.

The word "of" erased and the word "for" interlined in line 20, page 4 of sheet 38.

The word "enough" erased in line 21, page 1 of sheet 39.

The word "it" erased and the word "you" interlined in line 7, page 3 of sheet 39.

The word "who" erased in line 32, page 3 of sheet 39.

- The word "you" interlined in line 22, page 4 of sheet 39.
The words "two years" interlined in line 25, page 1 of sheet 40.
The letters "regu" erased in line 20, page 2 of sheet 40.
The word "paid" erased in line 23, page 2 of sheet 40.
The words "am not" erased in line 13, page 3 of sheet 41.
The words "I don't" erased in line 16, page 3 of sheet 41.
The word "you" interlined in line 4, page 4 of sheet 41.
The words "C. E. Lyman, esq.," interlined in line 18, page 4 of sheet 41.
The word "First" interlined in line 24, page 4 of sheet 41.
The word "because" erased in line 20, page 1 of sheet 42.
The words "You say you have, which does" erased in line 11, page 3 of sheet 42.
The word "far" interlined in line 17, page 3 of sheet 43.
The word "it" interlined in line 12, page 4 of sheet 43.
The word "what" erased in line 23, page 1 of sheet 44.
The word "you" erased in line 24, page 3 of sheet 44.
The word "it" interlined in line 7, page 4 of sheet 45.
The word "received" erased in line 21, page 2 of sheet 46.
The word "it" interlined in line 10, page 4 of sheet 46.
The word "now" erased in line 20, page 2 of sheet 47.
The words "as incompetent" interlined in line 12, page 3 of sheet 47.
The word "evidence" interlined in line 32, page 1 of sheet 49.
The word "name" erased in line 4, page 2 of sheet 49.
The word "acquainted" interlined in line 6, page 2 of sheet 49.
The word "have" erased and the word "move" interlined in line 8, page 1 of sheet 50.
The word "do" interlined in line 9, page 1 of sheet 50.
The word "you" interlined in line 14, page 2 of sheet 50.
The word "are" erased and the word "were" interlined in line 19, page 3 of sheet 50.
The word "we" interlined in line 5, page 4 of sheet 50.
The word "of" interlined in line 13, page 1 of sheet 51.
The words "within two years" interlined in line 16, page 1 of sheet 51.
The words "are you" erased in line 20, page 2 of sheet 51.
The word "remember" interlined in line 13, page 3 of sheet 51.
The word "that" erased and the words "to be" interlined in line 17, page 3 of sheet 51.
The word "of" erased and the words "and" and "tax" interlined in line 19, page 4 of sheet 51.
The words "nobody" and "anything" interlined in line 4, page 1 of sheet 52.
The word "live" erased and the word "reside" interlined in line 4, page 2 of sheet 52.
The word "for" erased in line 17, page 2 of sheet 52.
The letters "wh" erased in line 22, page 2 of sheet 52.
The name "George W. Clinton" erased and the name "Thomas Burchfield" interlined in line 3, page 4 of sheet 53.
The word "of" erased in line 6, page 4 of sheet 53.
The word "you" erased in line 20, page 1 of sheet 55.
The word "election" interlined in line 22, page 3 of sheet 55.
The words "you in" interlined in line 17, page 4 of sheet 55.
The word "of" erased in line 28, page 4 of sheet 55.
The word "out" interlined in line 24, page 1 of sheet 56.
The words "on your ticket" interlined in line 21, page 2 of sheet 56.

The words "say anything" erased and the words "remember about" interlined in line 23, page 2 of sheet 56.

The words "you offered" erased in line 13, page 1 of sheet 57.

The words "the matter of" interlined in line 26, page 1 of sheet 57.

The word "for" erased in line 30, page 3 of sheet 57.

The words "I wouldn't" erased in line 14, page 3 of sheet 58.

The words "election in" interlined in line 13, page 4 of sheet 58

The word "it" erased in line 25, page 4 of sheet 59.

The letters "pe" erased in line 11, page 3 of sheet 60.

The word "not" erased and the word "more" interlined in line 22, page 3 of sheet 60.

The words "I was assessed" erased in line 1, page 1 of sheet 61.

The word "vote" interlined in line 5, page 1 of sheet 61.

The word "day" interlined in line 10, page 1 of sheet 61.

The letters "clu" erased in line 2, page 4 of sheet 61.

The words "why I suppose" erased in line 21, page 4 of sheet 61.

The word "you" erased and the word "me" interlined in line 25, page 4 of sheet 61.

The word "for" erased and the word "for" interlined in line 14, page 2 of sheet 62.

The word "member" erased in line 12, page 1 of sheet 63.

The word "the" erased and the word "each" interlined in line 8, page 2 of sheet 63.

The word "mead" erased and the word "mean" interlined in line 23, page 4 of sheet 63.

The word "personally" interlined in line 25, page 1 of sheet 64.

The word "that" erased in line 3, page 3 of sheet 64.

The word "the" erased and the words "the duties of" interlined in line 11, page 2 of sheet 65.

The letters "Ho" erased in line 4, page 4 of sheet 65.

The word "bring" erased in line 7, page 4 of sheet 65.

M. S. KLINE,
Notary Public.

STATE OF PENNSYLVANIA,
Elk County, ss :

I, M. S. Kline, a notary public in and for the said State and county, before whom the depositions of the above and foregoing named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made therein and particularly set forth on pages 263, 264, 265, 266, 267, and 268 were made by me on the lines and pages therein noted, before the respective depositions in which they were made were signed by the witnesses.

The notices of the times and places when the said depositions would be taken, being also hereto annexed with the exhibit in the deposition of James Woodward mentioned.

Witness my hand and notarial seal this 12th day of April, A. D. 1879.
SEAL.]

M. S. KLINE,
Notary Public.

Depositions of witnesses produced, sworn, and examined at the office of W. W. Ames, in the borough of Saint Mary's, in the county of Elk and State of Pennsylvania, before George Ed. Weis, one of the associate judges in and for said county, on the 17th day of March, A. D. 1879, in a certain contest now pending in the House of Representatives of the United States of America, concerning the position of Representative for the twentieth Congressional district of the State of Pennsylvania, in the Forty-sixth Congress of the United States of America, wherein A. G. Curtin is contestant and Seth H. Yocum is contestee, on the part of said contestee.

MARCH 17, 1879.

D. S. Keller, counsel for the contestee, and C. H. McCauley, counsel for the contestant, present.

THOMAS CRAIG sworn and examined.

Question. What is your name?—Answer. Thomas Craig.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. What is your age?—A. Twenty-seven past.

Q. Where did you live on the 5th of November, 1878?—A. I lived in Fox Township.

Q. Had you lived there more than two months before the election?—A. Yes, sir; three months.

Q. Had you within two years paid a State or county tax which was assessed at least two months and paid at least one month before said election?—A. I paid the taxes for 1876.

Q. When did you pay it?—A. In the summer of 1877.

Q. Did you vote for a member of Congress in this district last election?—A. I did.

Q. For whom did you vote?—A. For Yocum, the Greenback ticket.

Q. Did you at the time of voting sign an affidavit?—A. I don't remember.

Cross-examined by C. H. McCAULEY, for the contestant:

Q. When were you assessed prior to November 5, 1878?—A. I couldn't remember exactly what year.

Q. Have you any personal knowledge of any assessment against you prior to November 5, 1878?—A. I have no personal knowledge.

Q. Was not the tax you paid Mr. Glatt a road or poor tax?—A. It was road, poor, and school tax altogether, all taxes which was required of me. I paid State tax and all.

Q. How much State tax did you pay?—A. I could not say.

Q. Upon what did you pay a State tax?—A. I couldn't say either how it was.

Q. How much road-tax did you pay?—A. I don't know.

Q. How much poor tax did you pay?—A. I don't know.

Q. Then, you do not know personally whether this was road, poor, school, or State and county, do you?—A. I know that they were all there.

Q. To whom did you pay them?—A. To Michael Glatt.

Q. Where?—A. In George Schaub's saloon, Saint Mary's.

Q. How did you pay it?—A. In money.

Q. Did you take a receipt?—A. Yes, sir.

Q. Where were you born?—A. In England.

Q. When did you come to this country?—A. I came to this country when I was twelve years old.

Q. Were you challenged November 5, 1878?—A. Yes, sir.

Q. Were you sworn?—A. Yes, sir.

Q. Did you examine your ticket immediately before you cast your vote November 5, 1878?—A. Yes, sir.

Q. Did you examine it particularly as to the name of the candidate for Congress thereon?—A. Yes, sir.

Q. How was that name printed and spelled?—A. It was Yocum's name; I couldn't say how it was.

Q. Was not the name upon your ticket for Congress Seth H. Yocum?—A. Yocum; yes, sir.

Q. Was it not Seth H. Yocum?—A. Yocum was on the ticket, but as what came before I couldn't say.

Q. Was it not Seth H. Yocum?—A. I couldn't say.

Q. Was it not Seth Yocum?—A. I couldn't say.

Q. Then, although you examined your ticket particularly as to the name of the candidate for Congress immediately before it was cast, you cannot say positively what the name of the candidate for that office was?—A. Yocum was all I see on the ticket.

Q. Were you registered?—A. No, sir.

Q. Are you a married man?—A. Yes, sir.

Redirect:

Q. Had your father been naturalized?—A. Yes, sir.

Q. Did you vote a printed ticket?—A. Yes, sir.

Q. Was it like the other Yocum tickets you saw there?—A. Yes, sir.

Q. There was a first name on the ticket?—A. Yes, sir.

Q. You have been assessed for taxes from year to year?—A. Yes, sir.

Q. You removed to Fox Township since last assessment?—A. Yes, sir; from Saint Mary's.

Q. Were you registered in Saint Mary's?—A. I don't know.

Recross-examined:

Q. Were you present in court when your father was naturalized?—A. No, sir.

Q. Then you have no personal knowledge that he was naturalized?—A. I have my father's papers with me.

Q. When did you get them?—A. About six months ago I got this copy.

Q. Did you get it yourself?—A. I did.

Q. Where?—A. At Ridgway.

Q. When?—A. September 24, 1878.

Q. You do not know of your own knowledge the day upon which your father was naturalized?—A. No, sir.

Q. Did your father have this paper at any time?—A. No, sir; not any time.

Q. Is your father living?—A. No, sir.

Q. When did he die?—A. Three years next June.

Q. Then this paper is all the personal knowledge you have of your father's naturalization?—A. Yes, sir.

Redirect:

Q. Did your father have one like this before his death?—A. Yes, sir; and I lost it.

Q. From whom did you get it?—A. From Fred. Schoetung, prothonotary.

Q. By this certificate, on what date does it appear your father was naturalized?—A. On the 6th day of August, 1872.

Q. By this certificate, from what day does it appear that he declared his intentions?—A. On 24th of September, 1868.

Recross-examined:

Q. All the knowledge you have of those dates is from that certificate?—A. Yes, sir.

THOS. CRAIG.

PHILIP YOUNG sworn and examined.

Question. What is your name?—Answer. Philip Young.

Q. Where do you live?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. Were you an officer at the election held November 5, 1878?—A. Yes, sir, I was.

Q. What office?—A. Judge of election.

Q. Did you at the same time hold a county office?—A. Yes, sir, I did.

Q. What office?

(Objected to by counsel for contestant as incompetent.)

A. Jury commissioner.

Q. What political party did you belong to?—A. The Democratic, through and through.

Q. Was the election board sworn?

(Objected to by counsel for contestant as incompetent. The oaths appear as returned by the election officers of Benzinger Township, for the election held November 5, 1878, being the best evidence and there is no proof that said oaths and paper were lost or destroyed.)

A. Yes, sir.

Q. By whom?—A. I swore the inspectors and clerks, and one of the inspectors swore me. I was sworn first by one of the inspectors.

Q. Which inspector swore you?—A. Mr. Decker. Either he or John Nissl, by his authority.

(Objected to by contestant's counsel as incompetent. The oath and papers returned by the election officers of Benzinger Township, Elk County, Pennsylvania, for the election held November 5, 1878, being the best evidence, and there is no proof that said oaths and papers were lost or destroyed.)

Q. What hour did you open the election?—A. At 7 o'clock in the morning.

Q. Did you have a full board at that hour?—A. No, sir; we did not.

Q. What position was vacant?—A. One inspector.

Q. Who afterward filled that position?—A. John Brindle.

Q. At what hour did he begin his duty?—A. Between 7 and 8 o'clock.

Q. Did you receive any votes before you had a full election board?—A. I believe they did; but at the same time the rest of us was sworn in—one inspector, two clerks, and the judge were sworn in; I mean those men were sworn before we received any votes.

Q. How many votes were received before the second inspector was sworn in?—A. I could not positively say; but not more than four; I don't believe there was that many.

Q. Was John Brindle the regularly-elected inspector?

(Objected to by counsel for contestant as incompetent, the election returns on file in the prothonotary's office in Elk County being the best evidence, and there is no proof of the same having been lost or destroyed.)

A. No, sir; he was not.

Q. Who appointed him inspector?—A. John Nissl, one of the clerks, brought him there; he asked me if I was satisfied with him; I told him I was.

Q. Did you have any voters on that day who were unregistered?

(Objected to by counsel for contestant as incompetent; the registry-list and poll-list returned and on file in the proper offices are the best evidence, and there is no proof that the said registry and poll list has been lost or destroyed.)

A. Not to my knowledge; I didn't.

Q. If you had any such, did you require any proof of their qualification?—A. I did. I always found them, too.

Q. Did all men who were sworn take and sign a written or printed, or partly written or partly printed, affidavit as to their qualifications as voters?—A. Yes, sir; they did.

Q. What was done with those affidavits?—A. They were sent to Ridgway.

Q. Sealed up with the election returns?—A. Yes, sir.

Q. How many, or about how many, such affidavits were taken and sent?—A. I could not say positively, but I think three or four.

Q. Who was your constable at that election?—A. Frank Wernet.

Q. Where is your election held for Benzinger Township?—A. In the borough of Saint Mary's, in school-house No. 1.

Q. Does that school-house stand in an inclosed yard?—A. Yes, sir; there is a fence around it.

Q. Did you give your constable any instructions as to who should or should not enter the yard that day?

(Objected to by counsel for contestant as leading.)

A. We did not; we did not think it necessary, for he kept the grounds clearer than any constable ever did before.

Q. Did you receive votes at the window, or did the voters come in to the body of the school-room?—A. They were voted at the window, all except the board.

Q. Were any voters challenged during the day?—A. Not that I know of; not to my knowledge.

Q. Were there any disputes before the board as to the right of any person to vote?—A. No, sir; not that I know of.

Q. Did any dispute or disturbances during the day in the yard come to your knowledge?—A. There was some dispute in the yard, but I do not know what it was about.

Q. Whose was the last vote you received before John Brindle took his place upon the board as inspector?—A. That is more than I can tell.

Q. Did Brindle remain on the board during the whole of that day?—A. I could not say positively; he was right there in the school-house all the time; he might have been out, but when we needed him he was there.

Q. Was he not out at one time about an hour?—A. Not that I know of.

Q. Do you know either of your own knowledge or of what he told you that he was at a horse sale while the election board was in session and after he had been sworn as inspector?—A. I do not.

Q. Do you know Andrew Kaul?—A. I do.

Q. Did you work for him?—A. I worked for him all the time nearly.

Q. Did you work for him at the time of the election?—A. I did.

Q. State whether or not Andrew Kaul took a very active part in the election of 5th of November, 1878.—A. Not that I know or seen.

Q. Did you see him at the window during the day?—A. I did several times.

Q. Did you see him there frequently?—A. No, sir.

Q. Do you know of any threats made either by Mr. Kaul or any one else, in case voters did not vote the Democratic ticket or any particular portion of it?

(Counsel for contestant objects to the latter part of the question as leading.)

A. I do not.

Cross-examined by C. H. McCauley:

Q. Were not all the members of the board present when votes were received, with the exceptions of those received before Mr. Brindle came?

—A. There might have been one or the other out when a vote was received; I would not be positive; not two of the board at a time.

Q. Was there a majority of the board present all the day?—A. Yes, sir.

Q. Was Philip Wehler sworn?—A. Yes, sir.

Q. Did he produce a witness as to his qualification as a voter?—A. Yes, sir; he did.

(Objected to by counsel for contestee, as the affidavits themselves are the best evidence and there is no proof of their loss or destruction.)

Q. Did Philip Wehler and his witness sign an affidavit in your presence; if so, whereabouts on the affidavits?—A. At the beginning.

(Objected to by counsel for contestee as incompetent; the affidavits themselves will show where they were signed, and there is no proof of their loss or destruction.)

Q. Did Abselon Conway and Nich. Nibert make and sign affidavits in the same way as in the case of Wehler?—A. Yes, sir.

(Objected to by counsel for contestee as incompetent; the affidavits themselves will show where they were signed, and there is no proof of their loss or destruction.)

Q. Did both Conway and Nibert produce witness as to each of their qualifications as voters; if so, did the witnesses make and sign an affidavit?—A. Yes, sir.

(Objected to by counsel for contestee as incompetent, the affidavits themselves being the best evidence, and no proof being offered as to their loss or destruction.)

Q. Where did these witnesses sign their affidavits?—A. At the beginning.

(Objected to by counsel for contestee for reasons last above given.)

Redirect:

Q. Have you any distinct and independent recollection as to the signing of any of the papers that day aside from the copy which has been shown to you?—A. No, sir; I have not.

Recross-examined:

Q. You know that these affidavits were signed?—A. Yes, sir; I do.

Q. You were present there when they were signed?—A. Yes, sir.

Q. You subscribed them, did you not, as judge of election?—A. Yes, sir.

Q. You saw them signed, did you not?—A. Yes, sir; I did.

PHILP YOUNG.

GEORGE DECKER sworn and examined.

Question. What is your name?—Answer. George Decker.

Q. Were you one of the election officers for Benzinger Township at the election held November 5, 1878?—A. I was.

Q. What position did you hold?—A. I was one of the inspectors.

Q. Where did you hold the election?—A. At the school-house No. 1.

Q. What time in the morning did you open the election?—A. I suppose it was about seven o'clock or a few minutes over.

Q. Did you have a full board then?—A. Well, not altogether; we had all but one inspector.

Q. How many votes did the board take before that vacancy was filled?—A. I can't tell exactly, but don't think it was more than four.

Q. Whose was the last vote you took before that vacancy was filled?—A. That is more than I can tell.

Q. Who was appointed inspector on that day?—A. John Brindle.

Q. Do you know who appointed him?—A. Not exactly; either Philip Young, judge of election, or one of the clerks. John Nissle, one of the clerks, went out and hunted for a man.

Q. Did you see Brindle before he was appointed inspector that day?—A. No, sir.

Q. After he was appointed inspector did he remain on duty all day with the rest of the board?—A. Yes; only a few times he went out.

Q. Was he gone in the neighborhood of an hour at any time?—A. No, sir.

Q. To what political party do you belong?—A. Democratic.

Q. Were all the other members of the board Democrats?—A. As much as I know they were; I cannot say certain.

Q. Where the names of persons offering to vote were not upon the registry list, did you or did you not require them to make affidavits as to their right to vote?—A. I did, sir.

Q. What was done with the affidavits?—A. They were packed up with the election returns and sent to Ridgway.

Q. How many or about how many of them were they?—A. That is more than I can tell.

Q. Who was your constable?—A. Frank Werneth.

Q. Did you give him any instructions that day?—A. No, sir.

Q. Was there any dispute or disturbance in the yard that day which came to your knowledge?—A. There was one time a little disturbance in the yard; I took no notice; I was inside attending to my business—taking tickets.

Q. At the time of that election did you hold any township or county office?—A. No, sir.

Q. Do you know Andrew Kaul?—A. Yes, sir.

Q. Did you work for him?—A. No, sir.

Q. Did you see him at the election that day?—A. I believe I did.

Q. To what political party does Mr. Kaul belong?—A. I can't tell.

Q. Is he not an active politician here?—A. He never said anything to me; I can't tell.

Q. Did he come to the window frequently during the day?—A. Not very often.

Q. Did he come up with men who were about to vote?—A. I don't know.

Q. Do you know of any threats being made or used at that election?—A. No, sir.

Q. Were any votes challenged?—A. Not that I can recollect; maybe there was one or there was none; I don't know.

Q. What did you do that day about the election; did you take the tickets?—A. I took the tickets most of the time.

Q. What was Brindle doing while you were taking the tickets?—A. Marking the tickets with numbers.

Q. What was the judge doing?—A. Not anything.

Q. Did not one of you keep the registry list and check off the names as they voted?—A. No, sir.

Q. Who had the registry list?—A. The assessor.

Q. Did the board have no copy of the registry list?—A. Not that I seen.

Q. Was the assessor there?—A. Yes, sir.

Q. Was he using a registry list?—A. Yes; he had his book.

Q. Do you know whether it was his own copy or the one the board should have had?—A. That is more than I can tell.

Q. Did you or any other member of the board make search for a copy of the registry list for the use of the board?—A. I don't know.

Q. Then you either used the assessor's book or had him look for you?—A. The assessor was there for that business.

GEORGE DECKER.

FRANK WERNETH produced and sworn.

Question. What is your name?—Answer. Frank Werneth.

Q. Where do you live?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. Do you hold any township office; and, if so, what office?—A. Constable.

Q. Were you present at the general election held in Benzinger Township November 5, 1878?—A. Yes, sir.

Q. What did you do there?—A. I attended to my office as constable.

Q. Did you have any instructions as to what you should do?

(Objected to by counsel for contestant as incompetent.)

A. No, sir.

Q. What did you do in regard to people from other election districts who came to the Benzinger polls?—A. I told them they had no business there.

Q. How came you to do that?—A. Because they had no business there.

Q. Did any one tell you not to let people from other districts come inside the yard?

(Objected to by counsel for contestant as incompetent and leading.)

A. No, sir.

Q. Did you have any talk with any one before the election as to what your duties as constable were, or what you should do on election day?—A. No, sir.

Q. How did you find out that people from other election districts had no business at the Benzinger polls, or no right to be in the yard?—A. I found out some years ago that they had no right in the yard at the township election.

Q. How did you find it out?—A. I found it out by the people that told me.

Q. What is your business?—A. Mechanic of all and master of none.

Q. For whom did you work in November last?—A. For Andrew Kaul.

Q. Was Andrew Kaul at the election that day?—A. Yes, sir.

Q. How long was he there?—A. I do not know.

Q. Did you hear any quarreling there that day?—A. I did, sir.

Q. Who were quarreling?

(Counsel for contestant objects to all testimony of the witness on the stand as to what occurred in the yard outside of the election house, as incompetent and not contained in the specifications or answers of the contestee served on the contestant.)

A. I heard Mr. Kaul and Allis Schaut have a spat together.

Q. Any one else?—A. Mr. Eldridge.

Q. Who did Mr. Eldridge have a quarrel with?—A. With Mr. Kaul.

Q. Do you know Fred Dipold?—A. Yes, sir.

Q. Did he have a quarrel with any one?—A. Yes, sir.

Q. Who with?—A. With Andrew Kaul.

Q. Did you hear anything said?—A. I heard them talking, but don't know what they said.

Q. When you said Mr. Kaul, you meant Andrew Kaul, did you?—A. I meant Andrew Kaul.

Q. Did you have any talk with Andrew Kaul as to what your duties should be, or you should do on election day?—A. No, sir.

Q. To what political party do you belong?—A. I belong to the party that every man ought to belong to.

Q. What party is that?—A. That's the straight Democratic party.

Q. To what political party does Andrew Kaul belong?—A. I do not know.

Q. What ticket was he supporting at the election November 5, 1878?—A. I do not know.

Q. Don't you know that he was supporting the Democratic ticket?—
(Objected to by counsel for contestant as leading.)

A. I don't know.

Q. Did you hear Andrew Kaul talking that day?—A. Why, yes.

Q. Which party was he talking in favor of?

(Objected to by counsel for contestant because any answer thereto would tend to impeach their own witness.)

A. I do not know.

Cross-examined:

Q. Was not Mr. Kaul talking about something else than a political party when you heard him?—A. I heard him talking about his business.

Q. Does not Mr. Kaul reside in Benzinger Township?—A. Yes, sir.

Q. Does not Mr. Schaut reside in St. Mary's Borough?—A. Yes, sir.

Q. Was the Mr. Schaut you have testified to as having the difficulty with Mr. Kaul, the gentleman who is now sitting at this table copying testimony in behalf of the contestee?—A. Yes, sir.

Q. Does not Mr. Eldridge reside in St. Mary's Borough?—A. Yes, sir.

Q. How far was Mr. Eldridge and Mr. Kaul from the election house at the time of the difficulty you testified to?—A. About thirty feet.

Q. Were they not thirty feet from the side of the election house?—
A. From the end.

Q. Did you tell Mr. Eldridge that he should not come in around the Benzinger election polls?—A. Yes, sir.

Q. Was this not before Mr. Kaul and Mr. Eldridge had the difficulty?—A. Yes, sir.

Q. Did not Mr. Eldridge refuse to go out?—A. He did refuse to go out.

Q. Did not Mr. Kaul tell Mr. Eldridge to go out?—A. Yes, sir.

Q. Was not Mr. Eldridge excited and angry?—A. The way he looked, he was.

Q. Did not Mr. Eldridge talk loud?—A. Yes, sir.

Q. Was not that the only difficulty that Mr. Eldridge and Mr. Kaul had, was that Kaul wanted him to go out?—A. That's all I know of; he wanted him to go out.

Redirect:

Q. Had any of the election board complained to you of the presence

of either Mr. Schaut or Mr. Eldridge, at the Benzinger precinct?—A. No, sir.

Q. When these gentlemen did not go out, did or did not Mr. Kaul come up and take a hand?

(Objected to by counsel for contestant as leading. The proper question would be, when these gentlemen did not go out, what did Mr. Kaul do?)

A. I do not know.

Q. Did Mr. Kaul's difficulty with Mr. Eldridge occur before or after you had ordered Mr. Eldridge to leave?—A. Afterwards.

Q. Was Mr. Kaul excited or composed?—A. The way he looked he was excited.

Q. Do you say upon your oath you did not see or hear Mr. Kaul electioneering that day?—A. I could not say whether he did or did not electioneer.

Recross-examined:

Q. How far was the difficulty between Mr. Dipold and Kaul from the polling window?—A. It must have been about one hundred feet.

Q. Did these difficulties you have testified to interfere in any way with a full, free, and fair poll of the vote on that day?—A. No, sir.

FRANK WERNETH.

FRED. A. DIPOLD sworn and examined.

Question. What is your name?—Answer. My name is Andrew Dipold, but I call myself Fred. A. Dipold to divide myself from my uncle, Andrew Dipold.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. Did you attend the election held in Benzinger Township, November 5, 1878?—A. Yes, sir.

Q. Did you see Andrew Kaul there?—A. Yes, sir.

Q. Did you have any talk with him?—A. Yes, sir.

Q. State what it was about, and what he said.—A. I couldn't tell what it was about.

Q. What did he say?—A. He called me, and said he wanted to see me. I went there, and he asked me what for I acted so mean against him. I asked him what I am doing against him. He did not answer me on this question, and he called me a mean dog and several other names. I couldn't remember what he said any more—what other names he had given me. He stood before me, and put his hands in front of my face, and said "I will knock you right down, you mean dog," but did not touch me. He said "If this Bucheit don't do as I want him he is done out there."

(Objected to by counsel for contestant as incompetent and irrelevant, and there being no allegations in the specifications or answers served by the contestee as to any conversation or difficulty having occurred around the Benzinger election polls in Benzinger Township, November 5, 1878.)

Q. Who was this Bucheit?—A. I couldn't tell what Bucheit he meant; he only said this Bucheit; that's all I can say about it.

Q. Was or was there not any person by the name of Bucheit working for Mr. Kaul at that time?—A. I could not tell; there were some persons by the name of Bucheit working for Mr. Kaul, but I could not say if at that present time.

Q. Did Mr. Kaul ever tell you why he was angry with you that day?—A. No, sir.

Q. Do you know why he was angry with you?—A. I don't know.

Q. Did he say why he was angry with Bucheit?
(Objected to by counsel for contestant as leading.)

A. No, sir.

Cross examined by J. K. P. NEAL, counsel for contestant:

Q. This conversation with Mr. Kaul took place up in the lot away from the polls, did it not?—A. Yes, sir; it was up in the lot away from the polls—some 30 or 40 feet away.

Q. He called you to one side, and said he wanted to see you?—A. Yes, sir.

Q. Were you working for Mr. Kaul at that time?—A. No, sir.

Redirect:

Q. How long before the election was it that you last saw Mr. Kaul?
—A. I couldn't tell; I seen him most every day.

Q. Was he angry with you the last time you saw him before election?
—A. No, sir.

Recross examined:

Q. You had worked for him before?—A. Some time before election—it was about two weeks before election.

Q. Did Mr. Kaul's conversation with you on the day of the election prevent you from voting as you pleased for a candidate for Congress?
—A. No, sir.

Q. Did it prevent you from voting as you saw fit for any candidate running for office at said election?—A. No, sir; he did not say anything about any candidate for office.

(Witness wishes to explain. The Bucheit Mr. Kaul mentioned was Frank Bucheit, but I do not know whether he meant father or son.)

Redirect:

Q. Did these Frank Bucheits, father and son, ever work for Kaul?—
A. I don't know.

Q. Did they ever work at Kaul's?—A. They worked there in that lumber yard, loading bark and loading lumber there.

Recross:

Q. You helped them work there?—A. I often helped them.

ANDREW DIPPOLD.

The testimony not being concluded, I adjourn the taking of further evidence until the 18th of March, at between the hours of 8 and 9 o'clock in the forenoon.

GEO. ED. WEIS,
Associate Judge.

March 18, 1879, at 9 o'clock a. m., pursuant to above adjournment, the taking of testimony resumed at the same place.

Messrs. Keller & Rathbun, for contestee, and James K. P. Hall, for contestant, present.

JACOB MALLISON sworn and examined.

Question. What is your name?—Answer. Jacob Mallison.

Q. Where do you live?—A. In Benzinger Township.

Q. Were you at the election house in Benzinger Township at the election held November 5, 1878?—A. Yes, sir.

Q. Did you vote?—A. Yes, sir.

Q. Do you know what number you were upon the poll-list?—A. I don't know.

Q. Did you see any of the board outside of the school house at the time or after you voted?—A. Yes, sir; after I voted.

Q. Who was it?—A. John Nissle.

Q. What position did John Nissle hold on the board?—A. Clerk.

Q. What did he say and do when he came out?

(Objected to by counsel for contestant as irrelevant and incompetent, as anything the clerk may have said is hearsay.)

A. He wanted some man to fill the board.

Q. For what position?—A. That I could not say. I think it was inspector.

Q. Who did he speak to?—A. John Brindle, also to Andrew Kaul and myself. I asked him if the board was full; he said no.

Q. What John Brindle was this?—A. It was John Brindle, jr.

Q. What did Nissle say to Brindle?—A. He just asked him if he would not go in to fill the board.

Q. What did Brindle say?—A. He said he did not want to go in, as he was checking window-book outside.

Q. What further was said?—A. Kaul and Brindle and Nissle were talking together. Kaul told him he might as well go in, as he could check it inside as well as out; he could take the book along with him just as well as not.

(Answer objected to by counsel for contestant as incompetent and irrelevant; the conversation had by Mr. Kaul is no evidence.)

Q. Did Brindle go in or not?—A. He didn't go in while I was there; then I left.

Q. Was you back again during the day?—A. No, sir.

Q. Did any one vote after you, and before you left?—A. Yes, sir; Andrew Kane.

Q. What was Brindle doing outside?—A. Checking the names of voters on a book.

Q. To what political party does Brindle belong?—A. I don't know.

Q. For whom did he work in 1878?—A. I don't know.

Q. How long have you lived in Benzinger Township?—A. Two years and three or four months.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month prior to November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for member of Congress for the twentieth Congressional district for the State of Pennsylvania at the election November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Did you see John Brindle, jr., at any other time during the election day after you saw him at the polls as you before testified?—A. No, sir.

Cross-examined:

Q. How long have you known Mr. Brindle?—A. I have known Mr. Brindle 12 or 14 years; since 1865.

Q. Do you consider him a fair man?—A. I never had no dealings with him; I could not say what he is.

Q. Did you vote for Seth A. Yocum?—A. I did.

Q. When did you pay your State and county tax?—A. September 7, 1878.

Q. How do you know you paid it in September, '78?—A. Only by the date on the receipt.

Q. To whom did you pay it?—A. Michael Stebech.

Q. Was the receipt dated in your presence?—A. Yes, sir.

Q. Do you know whether that tax was assessed at least two months prior to the 5th day of November, 1878?—A. I couldn't say as to that; this tax was assessed in the borough of Saint Mary's, where I lived before I moved out to the farm; it was assessed a short time after I moved out; assessed in my name on property owned by my wife.

Q. What was the date of your removal into Benzinger Township?—

A. I moved into Benzinger Township about the 22d of December, 1876.

Q. Who assessed that tax?—A. I don't know.

Q. Have you resided in Benzinger Township ever since December, 1876?—A. Yes, sir.

Q. Were there any other persons present at the Benzinger Township election poll when Mr. Nissle asked Mr. Brindle to act as one of the board but the parties you have mentioned, except the other members of the board?—A. Yes, sir.

Q. Who were they?—A. Jo. Freese was one, John Kaul was another, and Frank Werneth, the constable.

Redirect:

Q. What is the date of this tax bill which you testified you paid September 7, 1878? (Tax receipt shown the witness.)—A. August 5, 1878.

Q. Did you or did you not pay a State or county tax in 1877?

(Question objected to by counsel for contestant as leading.)

A. I did.

Q. Mr. Hall asked you the question whether you voted for Seth A. Yocum; did you pay any particular attention to the middle name of the candidate?

(Question objected to by counsel for contestant as leading, the question indicating the answer wanted.)

A. I did at the time, but can't remember now; the middle name slipped my memory now.

Q. What Yocum did you vote for?—A. Yocum that was running for Congress.

Q. On what ticket?—A. On the Republican ticket.

Q. On any other ticket also?—A. He was on the State ticket.

Q. Was there a Greenback ticket voted for at this place?—A. That I couldn't say; I didn't see one.

Recross-examined:

Q. You read your ticket?—A. Yes, sir.

Q. Now, Mr. Mallison, is it not your recollection that you voted for Seth A. Yocum?—A. Why, no; it is not; I can't remember.

Q. Was the tax you paid in 1877 assessed upon the property of your wife in the borough of Saint Mary's?—A. Yes, sir.

Q. Was that property real estate?—A. Yes, sir.

Q. The tax bill showed you dated August 5, 1878, and receipted September 7, 1878, does not show for what year the taxes were levied does it?—A. It don't show.

Q. Then you don't know what year those taxes were assessed?—A. No, sir.

JACOB MALISON.

GEORGE WEIGEL sworn and examined.

Question. What is your name?—Answer. George Weigel.

Q. Where do you live?—A. In Saint Mary's.

Q. Were you an officer of the election held in Saint Mary's November 5, 1878?—A. Yes, sir.

Q. What office did you hold?—A. Inspector.

Q. Who was the other inspector?—A. Michael F. Frey.

Q. Who was the judge?—A. Eugene Leuz.

Q. What did you do at the election?—A. I took in the tickets.

Q. Who numbered them?—A. Michael F. Frey.

Q. Who put them in the box?—A. Michael F. Frey.

Q. Did the board have a registry list of the voters of that poll for Saint Mary's?—A. Yes, sir.

Q. Who kept it?—A. The assessor had it.

Q. Who was the assessor?—A. Jacob Kraus.

Q. Were the names of the voters checked off on the registry list by one of the board as each man voted?—A. Yes, sir.

Q. Which one of the board checked off the list?—A. The judge.

Q. Were any persons sworn that day?—A. Yes, sir.

Q. Did any person vote whose names were not upon the registry list?—A. Yes, sir; there was some voted on age.

Q. Did they make and subscribe a written or printed or partly written or partly printed affidavits as to their qualifications as voters?—A. Yes; Leuz made those out.

Q. Did they produce witnesses?—A. Yes.

Q. Did the witnesses make and subscribe similar affidavits?—A. Yes.

Q. Did all who were sworn make such affidavits?—A. Yes, sir.

Q. What was done with those affidavits?—A. They must be in the ballot-box, for all I know.

Q. How many such affidavits were made?—A. I could not tell you.

Q. About how many?—A. I can't tell. Maybe from six to twelve. I don't know how many.

Q. Do you know what the law requires to be done with such affidavits?—A. No, sir.

(Counsel for contestant objects to all the foregoing testimony of George Weigel as being incompetent and irrelevant, there being no allegation of irregularities on the part of the board of election held in the borough of Saint Mary's, November 5, 1878, contained in the specifications or answers served upon the contestant by the contestee. Second. The evidence of George Weigel as to the affidavits taken by the board is secondary, the best evidence being the affidavits themselves on file with the election papers.)

Q. Were the members of the board all sworn before any votes were received?—A. Yes, sir.

Q. Who swore the judge?—A. Michael F. Frey.

Q. Who swore the inspectors and the clerks?—A. The judge.

Q. Were they all present together at the time they were sworn?—A. Yes, sir.

Cross-examined:

Q. You don't know how many were sworn there that day?—A. I couldn't tell.

Q. Were there any challenges made at the said election?—A. I believe there was a few.

Q. What was done when there was a challenge made?—A. We called them in the room and made them swear whether they paid tax or whether they were qualified voters.

Q. Did you require witnesses to prove residence and other qualifications?—A. Yes, sir.

Q. Were there any other persons allowed in the election room except the board and those called in to qualify?—A. No, sir.

Redirect:

Q. Do you know J. H. Brookins or Brookas?—A. I know him.

Q. Did he vote at that election?—A. Yes, sir.

Q. Was he sworn?—A. Yes, sir.

Q. Did he make and subscribe an affidavit?

(Objected to by counsel for contestant, the answer of George Weigel thereto being secondary, the affidavits on file being the best evidence.)

A. Why, certainly; he voted.

Recross-examined:

Q. Did you see him sign his name?—A. I saw him sign his name.

Q. Who administered the oath?—A. Leuz, the judge.

Q. Do you remember in what part of the affidavit he signed his name?

(Objected to by counsel for contestee. The affidavit itself contains the best proof as to where he signed it, and it has not been shown that it had been lost or destroyed.)

A. No, sir.

GEO. WEIGEL.

MARCUS BOEHRINGER sworn.

Question. What is your name?—Answer. Marcus Boehringer.

Q. Where do you live?—A. Saint Mary's.

Q. How long have you lived here?—A. Six and one-half years.

Q. How old are you?—A. Thirty-two.

Q. Where was you born?—A. In Germany.

Q. When did you come to this country?—A. In 1872.

Q. Have you ever been naturalized?—A. I have my paper here.

(Witness produces a paper, the declaration of intentions to become a citizen of the United States made before W. S. Horton, deputy prothonotary of the court of common pleas of Elk County, dated June 1, 1877.)

Q. Is that the only paper you have from the court?—A. Yes, it is the only paper I have.

Q. Did you vote at the election in Saint Mary's on November 5, 1878?—A. Yes.

Q. Did you vote for a member of Congress?—A. I don't know; I can't read English.

Q. What ticket did you vote?—A. I don't know that either.

Q. Who did you get the ticket from?—A. I do not know any more.

Q. Where did you get the ticket?—A. I cannot say under oath where I got it.

MARKUS BOEHRINGER.

WOLFGANG BLEND sworn.

Question. What is your name?—Answer. Wolfgang Blend.

Q. Where do you live?—A. In the borough of Saint Mary's.

Q. Did you vote at the election held in Saint Mary's on November 5, 1878?—A. Yes; I voted.

Q. Did you vote for any one for Congress?—A. I expect so; I couldn't say any more; of course I did.

Q. For whom did you vote for Congress?—A. I cannot say for whom; I voted the whole Democratic ticket.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. I paid a tax every year.

Q. Was it a State or county tax?—A. I paid every year in money at interest; of course, that pays State and county tax.

Q. Who did you pay tax to?—A. I paid to Glatt and Stebich, collectors.

Q. Have you ever been naturalized?—A. Of course I have, long ago.

Q. Where did you get your papers?—A. Down at Ridgway.

Cross-examined:

Q. How long have you lived in the borough of Saint Mary's?—A. About two years, I think; maybe three.

WOLFGANG BLEND.

MATHIAS GERG sworn and examined:

Question. What is your name?—Answer. Mathias Gerg.

Q. Where do you live?—A. In the township of Benzinger, Elk County, Pennsylvania.

Q. How long have you lived in Benzinger Township?—A. Since November last.

Q. Where did you live at the time of the November election, 1878?—A. In the township of Benzinger.

Q. How long before the election did you move into Benzinger Township?—A. It must have been just a few days before; I worked out there about two weeks; then I moved out.

Q. About what time did you begin to work in Benzinger Township?—A. In October last.

Q. Are you a married man?—A. Yes, sir.

Q. Did you vote at the election in Benzinger Township 5th of November, 1878?—A. No, sir; I voted in the borough.

Q. What ticket did you vote?—A. I voted the Greenback ticket.

Cross-examined:

Q. How long had you lived in the borough of Saint Mary's prior to your moving into Benzinger Township?—A. Since I was born; I have been out eight or nine months and came back again; I was brought up here.

MATHIAS GERG.

JOHN W. FOX sworn.

Question. What is your name?—Answer. John W. Fox.

Q. Where did you live on the 5th of November, 1878?—A. In Saint Mary's.

Q. How long had you lived there before that date?—A. I came here before the 15th of September or October, two or three days before.

Q. Are you a married man?—A. Yes, sir.

Q. Did your family move to Saint Mary's with you at the time last spoken of?—A. My family came in with me, but my things came in afterwards.

Q. Where did you move from?—A. From Centreville, Fox Township.

Q. Were you keeping house there?—A. Yes, sir.

Q. How long had you been living in Fox township?—A. I moved there about the middle of May, 1878.

Q. Did you vote in Saint Mary's Borough for a member of Congress for the twentieth district of Pennsylvania at the election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote?—A. I think I voted the Democratic ticket. I wouldn't be certain. I did not look at it, I just put it in; it was given to me. I supposed it was all right.

Q. Who gave you the ticket?—A. I couldn't say for certain who gave it to me.

Q. To what party did the person who gave you the ticket belong?—A. To the Democratic party, I suppose; they talked that way.

Cross-examined:

Q. Where did you move to when you left Saint Marys in May?—A. To Centreville, Fox Township, Elk County.

Q. How far is Centreville from Saint Marys?—A. Six miles, I suppose.

Q. What were you doing there?—A. Tending bar for Mr. Koch.

Q. Did you go there to remain permanently or temporarily, and intending to return again to Saint Mary's?—A. I did not go there intending to stay there. I did not take all my goods along; I left some of them here; I only took enough along to do me for the time.

Q. When you said "here," do you mean you left some of your goods at Saint Mary's?—A. Yes, sir.

Q. While you were at Centreville, did you consider St. Mary's your house?

(Objected to by counsel for contestee. The witness's opinion on this point is not evidence. That question should be decided by facts proved in the case.)

A. Yes, sir; I was raised here, and always considered it my home.

Q. Had you always lived at Saint Mary's prior to going to Centreville?—A. Yes, sir; from the time I was three years of age.

Q. Did you look at your ticket you voted on the 5th day of November, 1878?—A. Not that I know of.

Q. How, then, do you know that you voted for a candidate for Congress for the twentieth Congressional district of Pennsylvania?—A. I don't know, but suppose the ticket was all straight or full.

Q. Do you know that Andrew G. Curtin's name was on that ticket?—A. No, sir.

Q. Don't you know that [there were a number of Democrats in Saint Mary's who did not vote for Andrew G. Curtin?—A. I could not tell that much. I heard Democrats say they would not vote for him.

Q. Were not some of the Democrats of Saint Mary's supporting the Greenback candidate?—A. Yes, sir; they talked that way.

Redirect:

Q. Did you see any Democrats in Saint Mary's vote the Greenback ticket for Congress?—A. I did not see any of them; I was not outside.

Q. Where were you?—A. I was inside of the polls.

Q. What were you doing there?—A. Clerking at the election?

Q. How long have you been married?—A. About nine years.

Q. Had you ever been away from Saint Mary's before you moved to Centreville?—A. I have been away, occasionally, for a year or so. Sometimes I would come home every two or three months, and sometimes every week; done most of my dealing at Saint Mary's at the time.

Q. Did you ever keep house away from Saint Mary's before?—A. No, since I am married; not if I recollect.

Q. Where did you store the goods that you left in Saint Mary's when you moved to Centreville?—A. In Martin Nicklaus's house.

Q. Who is Martin Nicklaus?—A. A brother-in-law of mine.

Q. Had you been living in Martin Nicklaus's house before you moved to Centreville?—A. No, sir.

Q. Are any of your goods in Martin Nicklaus's house still?—A. Yes, sir; there is some there yet.

Q. Are all the goods you left there when you went to Centreville still in Martin Nicklaus's house?—A. Only part of them.

Q. Whose house did you live in while at Centreville?—A. Joseph Koch's.

Q. Was it the same house in which you tended bar?—A. No, sir; it was a house he had for his own private use.

Q. Whose house do you live in now?—A. In Frank Sug's.

Q. Whereabouts in St. Mary's did you consider your home was while you were out at Centreville?—A. I made my home at Martin Nicklaus's and at my father-in-law, L. Wesnitzer's. I came in occasionally. When I came in my family staid at my father-in-law's until my goods came in.

Q. Do Martin Nicklaus and Wesnitzer live in the same house?—A. No, sir.

Q. In which of these two houses was your home while your family was at Centreville?—A. Neither one of them was my home while I was at Centreville.

Q. Were you assessed while you lived at Centreville?—A. They said I was.

Q. Who said you were?—A. A man by the name of Hewitt.

Q. Who was Hewett?—A. Tax-collector, I guess.

Q. For what township?—A. Fox Township.

J. W. FOX.

MARCH 18, 1878.

The testimony not being concluded, I adjourned the taking of further testimony and evidence until 8.30 o'clock a. m. the 19th of March, 1878.

GEO. ED. WEIS,
Associate Judge.

And now, to wit, 8½ o'clock a. m. of March 19, 1879, Messrs. Keller & Rathbun, for contestee, present, and J. K. P. Hall, counsel for contestant, present, no witnesses present; I upon agreement of the counsel on both sides adjourned the taking of testimony until 7 o'clock p. m. this evening.

Now, March 19, 1879, at 7 o'clock p. m. pursuant to above adjournment, the taking of testimony resumed at the same place; George A. Rathbun, for contestee, and J. K. P. Hall, for contestant, present.

ANTHONY GIBBONS sworn and examined.

Question. What is your name?—Answer. Anthony Gibbons.

Q. Did you vote at the election held in Benzinger Township, November 5, 1878?—A. Yes, sir.

Q. Did you vote for a member of Congress at that election?—A. I voted the whole Democratic ticket.

Q. Where were you born?—A. In Ireland.

Q. When did you come to this country?—A. The 24th of July, 1872; I came to Saint Mary's; I came direct from Canada here.

Q. Have you ever been naturalized?—A. I have my papers.

Witness produces paper.

Q. Is this the only paper you ever got?—A. This is the only paper I ever got.

(Paper noted by counsel as follows: "Declaration of intentions, dated 9th December, 1875, by Anthony Gibbons, a native of Ireland, made before Fred. Schoening, prothonotary of the court of common pleas of Elk County, Pennsylvania.")

Cross-examined:

Q. Did you get no other paper since that?—A. No, sir; I had no opportunity to get another.

Q. Did you think those papers entitled you to vote?—A. I did, with the tax receipts.

Q. Did you ever pay taxes in Benzinger Township, State or county tax?—A. I paid county tax in 1877, the 15th of August, and have the receipts here; I paid for 1876 also; I paid also for 1878.

Q. Do you know whether the name of Andrew G. Curtin was on the ticket you voted, for member of Congress, as far as you can remember?—A. Yes, sir.

Q. Did you read your ticket?—A. I looked over it, but did not retain it in my memory since.

Q. Then you cannot swear positively that Andrew G. Curtin's name was on?—A. Yes, sir; I can swear positively.

ANTHONY GIBBONS.

The testimony not being concluded, I adjourned the taking of further evidence until nine o'clock to-morrow morning, the 20th day of March, in the forenoon.

And now, March 20, 1879, 9 o'clock a. m., the taking of further testimony adjourned until 9 o'clock a. m., on Monday the 24th day of March, 1879.

And now, March 24, 1879, 9 o'clock a. m., the taking of testimony resumed at the same place.

W. W. Ames, for contestee, present; J. K. P. Hall, for contestant, present.

JAMES A. BURKE sworn and examined.

Question. What is your name?—Answer. James A. Burke.

Q. What is your age?—A. Twenty-five years old.

Q. Where did you reside November 5, 1878?—A. In the township of Jay, in the county of Elk.

Q. How long had you resided there immediately prior to November 5, 1878?—A. About seventy or seventy-five days, I should think; came home the last of August.

Q. Did you pay a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. What date did you pay the tax?—A. I could not say the exact date.

Q. To whom did you pay it?—A. To Oliver Dodge and Hewitt.

Q. When were you assessed?—A. I was assessed again last fall.

Q. By whom?—A. Justice Weed.

Q. Can you give the date of that assessment?—A. No, sir.

Q. Where was that assessment made?—A. At my home in Caledonia, Jay Township.

Q. Did the assessor come to you in person?—A. Well, I wasn't in when he came to the house; the assessor came to me a day or two before and said he was going to assess me.

Q. With whom did you live at that time?—A. I lived with my folks; my father and sisters.

Q. Are you a married man?—A. No, sir.

Q. How did you pay the tax spoken of?—A. I paid the tax to Hewett in money.

Q. State whether your name was on the registry list November 5, 1878.—A. I don't know whether it was or not.

Q. Did you vote at the general election held in Jay Township, November 5, 1878?—A. Yes, sir.

Q. Were you challenged? A. No, sir.

Q. State whether you were required by the election board to make any proof as to your right to vote at that election.—A. No, sir.

Q. Did you vote for a person for Representative in Congress for the twentieth Congressional district of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For A. G. Curtin.

Q. Did you at any time during the year 1878 live in any other place than Jay Township?—A. Yes, sir.

Q. Where?—A. Bradford, McKean County.

Q. At what time did you go there?—A. About the 1st of May.

Cross-examined by Mr. HALL:

Q. Where were you born?—A. In Genesee Township, Potter County, Pennsylvania.

Q. Were Hewett and Dodge tax-collectors for Jay Township?—A. Yes, sir.

Redirect:

Q. For what year was Hewett collector?—A. For 1878, I think; I am not certain.

Recross-examined:

Q. How long did you remain in Bradford?—A. Not quite four months. I came home the last of August.

JAMES A. BURKE.

WILLIAM MCCAULEY affirmed.

Question. What is your name?—Answer. My name is William McCauley.

Q. What is your age?—A. I will be 42 in coming September.

Q. State whether you are acquainted with Doc. H. Stresley.—A. Yes, sir.

Q. Where does he reside?—A. In Centreville, Fox Township, Elk County, Pennsylvania.

Q. Where do you reside?—A. In the same place.

Q. State whether you saw Mr. Stresley and had some conversation with him November 5, 1878.—A. I had on election day.

Q. What was that conversation?—A. We had some little talk about money being used.

Q. What was that talk?

(Objected to by counsel for contestant on the grounds that any conversation had with Doctor Stresley in reference to this contest would be hearsay and therefore incompetent.)

Q. I think I made the remark that there had been money used, I believed. Doctor Stresley said he got \$75 to work with. I think that was his words exactly; he said he did not get the money, but got a check for the amount.

Q. Did he state from whom he received the check?—A. He did, sir; he said from Andrew G. Curtin.

Q. State whether he said anything about the use of that money?—A. Nothing; only to work with.

Cross-examined by Mr. HALL:

Q. Was not Dr. H. Stresley chairman of the Democratic county committee of Elk County?—A. I do not know that he was. I suppose he was, from seeing it published that he was, from the proceedings of the Democratic county convention published in the papers.

Q. Do you know of any votes that he bought?—A. I do not.

Q. Did he say anything about corrupting voters with the money?—A. He did not.

Q. Is Dr. Stresley living in Fox Township now?—A. Yes, sir.

Q. To what political party did you belong last fall?—A. I belonged to the Greenback party at that time; have for two years.

Q. You were one of the Greenback committee in Fox Township, were you not?—A. Yes, sir.

Q. Did you receive any money from any person to forward the interest of the Greenback power?

(Objected to by counsel for contestee, not being cross-examination.)

A. I did not.

Q. Did you use any money for that purpose?—A. No, sir.

Q. Do you know of any money being used there in the interest of the Greenback party?

(Objected to by counsel for contestee as not proper cross-examination, no reference having been made in the direct testimony to the Greenback party in any way.)

A. I do not know of any.

Q. Did you vote at the November election in Fox Township in 1878?—

A. I did.

Q. Had you paid a State or county tax within two years which had been assessed at least two months and paid at least one month before said election?

(Objected to by counsel for contestee as not being proper cross-examination.)

A. I did.

Q. For whom did you vote for Congress?—A. For Seth Yocum.

Q. What reply did you make to Dr. Stressly when he said he wouldn't work for nothing?—A. I said we are apt to want pay when we work.

Redirect:

Q. Do you remember whether Seth Yocum, for whom you voted, had a middle letter to his name?—A. I could not positively say that there was a middle letter.

Recross-examined:

Q. Where did the conversation with Dr. Stressly take place?—A. On the road between Saint Mary's and Centreville.

Q. What time in the day?—A. It was after the polls closed; we came to Saint Mary's and went back the same evening.

Q. Did you come to Saint Mary's together?—A. We did.

Q. What were you doing at Saint Mary's?—A. We come over for the purpose of learning the result of the election.

WM. McCAULEY.

WILLIAM H. MEREDITH affirmed.

Question. What is your name?—Answer. W. H. Meredith.

Q. What is your age?—A. Forty-eight years.

Q. Where did you reside November 5, 1878?—A. In Fox Township, Elk County, Pennsylvania.

Q. Are you acquainted with Dr. H. Stressly?—A. Yes, sir.

Q. Where does he reside?—A. In Fox Township, Elk County.

Q. State whether you had any conversation with him on the night of November 5, 1878.—A. I did on election night.

Q. What was that conversation?—A. He said he had received \$75 from Curtin to work for his election.

Cross-examined by Mr. HALL:

Q. Where did this conversation take place.—A. Between Centreville and Saint Mary's, on the road.

Q. You had come to Saint Mary's with Dr. Stressly and William McCauley to ascertain the result of the election, hadn't you?—A. Yes, sir.

Q. Didn't he say that he had received \$75 to work with?—A. He said he received \$75 to work for Curtin's election; he couldn't afford to work for nothing.

Q. Was William McCauley present at this conversation?—A. Yes, sir.

Q. Who else was present?—A. N. G. Bundy.

Q. Did not Dr. Stressly say he had a check for \$75?—A. I think he did afterwards. I think at first he said \$75; then afterward he said he received a check.

Q. Was it the same \$75 spoken about he received a check for?—A. I think it was.

Q. Did he say that he received that money or check for the purpose of corrupting voters?—A. No, sir.

Q. Do you know of his having used money for corrupting voters at the general election of 1878?—A. No, sir.

Q. Was not Dr. H. Stressly chairman of the Democratic county committee of Elk County for the year 1878, and at the time this conversation took place?—A. I heard it reported so.

Q. Didn't you know that he was acting as chairman of the Democratic county committee?—A. I saw his name as chairman in the paper. I saw his name signed in the paper.

Q. To what political party did you belong in the fall of 1878, at the time this conversation took place?—A. To the Greenback party.

Q. Did you vote at the general election held November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for Congress?—A. For Seth Yocum.

Redirect:

Q. Did the man for whom you voted for Congress have any middle letter to his name?—A. I think he did, but I would not be positive. I think he did.

Recross-examined:

Q. Wasn't it Seth A. Yocum?—A. I think not.

Q. Was it Seth Y. Yocum?—A. I think not.

Q. Now wasn't it Seth H. Yocum?—A. I think it was, but I wouldn't be positive.

W. H. MEREDITH.

F. G. BUNDY sworn.

Question. What is your name?—Answer Norman G. Bundy.

Q. What is your age?—A. I am forty years old.

Q. Where do you reside?—A. In Fox Township, Elk County, Pennsylvania.

Q. Are you acquainted with Dr. H. Stressly?—A. Yes, sir.

Q. State whether you had any conversation with him on the evening of November 5, 1878.—A. We was talking; there was three of us together; three besides the doctor, coming out to Saint Mary's.

Q. What was that conversation?—A. Speaking about the election, about who was elected and who wasn't. The doctor spoke in reference to Curtin; did not know whether he was elected or not; he got \$75 of his money to work for him.

Cross-examined:

Q. Did he say who gave him the money?—A. He said he got it from Curtin; I think he said he got it from Curtin.

Q. Didn't he say he got a check from Curtin?—A. He said he got \$75 of his money; he said it was just as good; he got his check.

Q. Did he say it was given to him for the purpose of corrupting voters?—A. He did not.

Q. Did he say that he had used any of that money for the purpose of corrupting voters?—A. He did not.

Q. Do you know whether Dr. H. Stressly used money corruptly to influence voters at the election held November 5, 1878, in Fox Township or elsewhere?—A. I do not.

Q. Was not Dr. Stressly chairman of the Democratic county committee of Elk County for the year 1878, and at the time of the conversation referred to by you?—A. I suppose he was, without a doubt.

Q. To what political party did you belong in the fall of 1878?—A. To the Greenbackers.

Q. Did you receive money from any person to further the interest of the Greenback ticket, or any part thereof?

(Objected to by counsel for contestee. Not proper cross-examination, because the inquiry is about that which is not in any way mentioned in witness's direct testimony.)

A. I did not.

Q. Were you a member of the Greenback committee in 1878 in Fox Township?—A. I was.

Q. Did you vote at the November election, 1878?—A. I did.

Q. Were you around the polls that day?—A. I was, a good share of the time.

Q. Was you electioneering for the Greenback ticket that day?

(Objected to by counsel for contestee, as not cross-examination and irrelevant.)

A. Well, I peddled Greenback tickets.

Q. On the evening of the election you came in with Dr. Stressly and others to learn the result of the election?—A. I suppose likely; yes.

Q. Was it while you were coming to Saint Mary's this conversation with Dr. Stressly took place?—A. It was.

Q. Who were the parties with you while coming to Saint Mary's at the time the conversation took place?—A. Dr. Stressly, W. H. Meredith, William McCauley, and myself.

N. G. BUNDY.

ANDREW LINDNER sworn.

Question. What is your name?—Answer. Andrew Lindner.

Q. How old are you?—A. Thirty-two years old.

Q. Where did you reside November 5, 1878?—A. In Centreville, Fox Township, Elk County.

Q. Did you vote at the general election held in Fox Township November 5, 1878, for Representative in Congress for the twentieth Congressional district of this State?—A. Yes, I did.

Q. For whom did you vote for said office?—A. I voted the Democratic ticket.

Q. Was your vote challenged?—A. I voted the whole Democratic ticket.

Q. Did the election board require any proof of you as to your right to vote at that election?—A. I voted three or four times before. Nobody said anything to me about it this time.

Cross-examined :

Q. How long have you lived in Fox Township?—A. Seven years.

Q. Are you a citizen of the United States?

(Objected to by counsel for contestee as not being cross-examination.)

A. Yes, sir; I got my paper here.

(Paper produced, purporting to be certificate of naturalization, by the witness, offered in evidence by the contestant.)

Objected to by counsel for contestee, as not cross-examination, the paper not having been referred to nor offered in evidence by the contestee.

Contestant now offers paper.

The counsel for contestant and contestee agree that the following is the substance: "Certificate of naturalization of Andrew Lindner, a native of Bavaria, dated Ridgway, Elk County, Pennsylvania, the 19th day of September, 1877, wherein the said Andrew Lindner is admitted by the court of common pleas of Elk County to become a citizen of the United States. Signed by Fred. Schoening, prothonotary, and the official seal of said court attached.")

Q. How long had you lived in Fox Township prior to the election held November 5, 1878?

(Objected to by counsel for contestee as not proper cross-examination.)

A. Five years.

Q. Had you paid a State or county tax which had been assessed two months and paid one month prior to said election within two years?—

A. I paid every tax that was called for of me. I paid two taxes this year.

Q. Did you pay a tax in 1878?—A. Yes.

Q. To whom did you pay it?—A. I paid tax to John McMahon a year ago. I paid to Jerry Hewett and Frank Enz.

Q. Was John McMahon and Jerry Hewett tax collectors?—A. Yes.

Q. Have you got your tax receipt with you?—A. No; I had my receipts and lost them.

Q. Do you know what taxes John McMahon was collecting?—A. No.

Q. When did you pay him?—A. A year ago last fall.

ANDREW LINDNER.

SAMUEL KELLEY sworn.

Question. What is your name?—Answer. Samuel Kelley.

Q. What is your age?—A. Twenty-five.

Q. Where did you reside November 5, 1878?—A. Fox Township, Elk County, Pennsylvania.

Q. How long had you resided there at that date?—A. I couldn't tell exactly how long. I went there in August, 1878; I don't remember date.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am a citizen of the United States and of the State of Pennsylvania.

Q. Had you paid a State or county tax within two years which was assessed at least two months and paid at least one before November 5, 1878?—A. I have.

Q. Did you vote at the general election held in Fox Township election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district for the State of Pennsylvania?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Do you remember his given name?—A. I don't remember, yet I have read it often enough to know it.

Cross-examined by Mr. HALL:

Q. Was his name Seth H. Yocum?—A. It was.

Q. Where were you born?—A. In the State of New York, Steuben County.

Q. When did you come to Pennsylvania?—A. It will be six years 15th August.

Q. How long have you lived in Fox Township?—A. I lived there since somewhere in August.

Q. Are you a married man?—A. I am.

Q. Did you move your family to Fox Township in August?—A. Yes, sir.

Q. Did you keep house there?—A. Yes, sir.

Q. Did you keep house there until the election?—A. Yes, sir.

Q. Were you assessed in Fox Township?—A. No, sir.

Q. Where did you pay the tax you testified to?—A. In the borough of Saint Mary's.

Q. When?—A. In the year 1877.

Q. To whom?—A. Michael Stebich, I believe, was collector then.

Q. Did he give you a receipt?—A. Yes, sir.

Q. Can you state positively whether it was a State or county tax you paid him?—A. Yes; it was State and county tax I paid him.

Q. Which tax was it you paid?—A. It was State and county tax.

Q. Who assessed you?—A. I don't know the assessor's name who assessed.

Q. When did he assess you?—A. I can't tell you the day of the month; I can tell you the year it was, 1877.

Q. Were you in Saint Mary's when you were assessed?—A. Yes, sir.

Q. Did you have any taxable property in Saint Mary's when you were assessed?—A. I did not, without they assessed my household goods.

Q. What was the value of your household goods?—A. About a hundred dollars or so.

Q. Did the value exceed \$200?—A. It did not.

Q. How much county tax did you pay?—A. Thirty-two cents.

Q. How much State tax did you pay?—A. The State and county tax is altogether. I was mistaken about the State tax; I only paid county tax.

Q. Didn't you pay that tax before you left Saint Mary's?—A. No, sir; I was over here when I was living in Fox Township and paid it.

Redirect:

Q. What date did you pay the tax?—A. September 1, 1878.

Recross-examination waived.

his
SAMUEL + KELLEY.
mark.

Witness:

GEO. ED. WEIS,
Associate Judge.

Dr. H. STRAESSLEY, sworn.

Question. What is your name?—Answer. Herman Straessley.

Q. What is your age?—A. Fifty-one.

Q. Where did you reside November 5, 1878?—A. Centreville, Elk County, Pennsylvania.

Q. State whether you took an active part in the election campaign in the fall of 1878.—A. I did.

Q. State whether you received any money from any person during the campaign of the fall of 1878 for election purposes.—A. I did.

Q. From whom?—A. I got it through Charles Luhr for campaign purposes.

Q. What kind of money was it?—A. It was a check.

Q. For how much?—A. Seventy-five dollars.

Q. Whose check was it?

(Objected to by counsel of contestant, upon the ground and reason that the check itself is the best evidence, and there is no proof that the same was lost or destroyed.)

Q. I think it was from Andrew G. Curtin.

Q. Did you get the money on that check?—A. I did.

Q. What did you do with that money?—A. I used the money for campaign purposes.

Q. Can you give the manner of its disbursement and to whom disbursed?—A. I refuse to answer that question.

Q. In what manner was it disbursed?—A. For campaign purposes, for paying postage, sending out pamphlets, and traveling expenses.

Q. Were the pamphlets and circulars furnished to you printed and ready for distribution?—A. Yes, sir.

Q. Traveling expenses you paid for whom?—A. Myself.

Q. To and from what places?—A. I do not recollect; I went to different places through the county.

Q. Was all this money expended by you for the purposes before stated?—A. Not altogether.

Q. How much was so expended?—A. That I could not tell.

Q. Did you have any conversation with Andrew G. Curtin in reference to this money?—A. I did before I got it, not afterwards.

Q. What was that conversation?—A. I told Mr. Curtin, in Ridgway, that I did not get any funds to defray campaign expenses so far, and that I am tired of spending money out of my own pocket; he answered, "I will see that you get the necessary funds." I was chairman then of the Democratic county committee.

Q. Was that all the conversation?—A. That was all in relation to the money matter.

Q. Did you have any conversation with Charles Luhr in relation to the check at the time of its receipt?

(Objected to by counsel for contestant, for the reasons that there is no allegation in the specification or answer of contestee served upon

the contestant that Charles Luhr paid money to the witness to corrupt voters or for other purposes.)

A. I did not.

Q. State whether Mr. Luhr made any explanation as to from whom he received it?—A. He simply handed me the check.

Q. What did you do with the balance of that money which remained in your hands after the expenditures above referred to?—A. I have it yet.

Q. Did you pay any money to any person or persons for any other purpose than referred to?—A. No, sir.

Cross-examined:

Q. When you had the conversation with Mr. Curtin, before you received the check, did you tell him you was chairman of the Democratic county committee?—A. He was aware of it; I was introduced as such.

Q. Did Mr. Curtin or Luhr say anything to you about using that money for any other than legitimate purposes?—A. No, sir.

Q. At the time of your conversation with Mr. Curtin were you not complaining to him that you had no funds to pay campaign expenses?—A. I did.

Q. Did you on the night of the election of November 5, 1878, have a conversation between Saint Mary's and Centreville, at which William McCaully, William H. Meredith, and Norman G. Bundy were present, about the money you had received for campaign purposes?—A. I did.

Q. What did you tell them about it?

(Objected to by counsel for contestee as not proper cross-examination, the witness not having been asked or having referred to that conversation, or what there took place, in the direct examination.)

A. That I received seventy-five dollars for campaign purposes.

Q. Didn't you tell them that you was tired paying out money for campaign purposes besides working for nothing?—A. I did; I meant paying the money out of my own pocket.

Q. Did you ever use any of that money to corrupt voters?—A. No, sir.

Redirect:

Q. Did you directly or indirectly use that money or any portion thereof for any other purpose or purposes than mentioned by you in your first direct examination?—A. I did not.

DR. H. STRAESSLEY.

JOSEPH CHEATLE sworn.

Question. What is your name?—Answer. Joseph Cheadle.

Q. What is your age?—A. Thirty-seven the 10th day of next July.

Q. Where did you reside November 5, 1878?—A. Benzinger Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Near twenty-six years; maybe more.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I have the tax papers yet.

Q. Did you vote at the general election held in Benzinger election district November 5, 1878, for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Well, I took a ticket from Kaul; he said that was the right ticket and I put it in.

Q. What were your politics that time?—A. Republican; I voted the Republican ticket, I supposed it was.

Cross-examined:

Q. Kaul was a Democrat, wasn't he?—A. I suppose he was.

Q. You knew he had Democratic tickets?—A. Yes, sir.

Q. And you intended to vote the ticket Mr. Kaul voted excepting one man?—A. Yes, sir.

Q. Who was that for?—A. For Congress. I told him I wanted to vote for Yocum.

Q. Do you know whether you voted for Yocum or Curtin?—A. I don't know anything about it.

Q. Do you know whether you voted for Congress at all?—A. I don't know. I got a ticket from Kaul and voted.

Q. Didn't you tell him you wanted to vote and asked him for a ticket?—A. Yes, sir; I told him I wanted to vote and asked him for a ticket.

Q. You didn't say anything to him how you wanted to vote?—A. No, the last time I didn't speak to him about it; asked him for a ticket and voted.

Q. You did not care how you voted?—A. No; I didn't care.

Q. You talked to Mr. Kaul twice about it?—A. Yes, sir; I talked to him twice about it.

Q. He told you he didn't have any Yocum tickets the first time, didn't he?—A. Yes, sir.

Q. What time in the day was it you spoke to him the first time?—A. I guess about four o'clock in the afternoon.

Q. Then you went away?—A. I went away for about a half hour and came back again.

Q. The last time you took a ticket and voted right away without asking any questions?—A. Yes, sir.

Q. When you took the ticket, you knew he had no Yocum tickets?—A. Yes, sir; I did.

Q. You supposed this ticket he gave you was a Democratic ticket?—A. I suppose—yes.

Q. You voted the ticket he gave you?—A. Yes; I voted that.

Q. To the best of your knowledge you voted the full Democratic ticket?—A. Yes; I did not care what I voted.

Q. You knew that Andrew G. Curtin was the Democratic candidate for Congress?—A. Yes, sir.

Q. How long immediately before the election had you lived in Ben-zinger Township?—A. I always lived there, for a number of years before the election.

Redirect:

Q. Can you read?—A. No, sir.

Q. For whom did you desire to vote for Congress, first?—A. For the Republican ticket, certainly.

Q. How did you come to change your mind and become indifferent as for whom you voted when you did vote?—A. I always worked for Kaul, and just took his ticket and voted.

Q. How did working for Kaul interfere with or change your manner of voting at that election?—A. He told me to take that ticket and put it in. I supposed it was all right. I didn't care who I voted for.

Q. Why didn't you vote the first time that you spoke to him about a ticket?—A. Because I could not find any Republican tickets, so I just put that ticket in he gave me.

Q. State whether you had any conversation with Mr. Kaul in relation to how you should vote and for whom you should vote other than referred to by you heretofore in your testimony.—A. No; he didn't say. I didn't say to him, only told him I wanted to vote the Republican ticket, and he said he didn't have any.

Q. What is Mr. Kaul's given name?—A. I suppose Andrew Kaul.

Q. State whether you voted on that occasion with your own free will and without coercion.—A. Yes, sir; I voted my own free will.

Q. State whether the ticket you voted was the ticket that you desired to vote at that time.—A. Yes, it was the ticket I desired to vote at that time.

Q. For whom were you working at that time?—A. I was working for myself, sir.

Q. What was you doing?—A. Farming.

Q. State how you came to swear, in your direct examination, that you voted the Republican ticket, and now say you voted the Democratic ticket.—A. Because I always voted the Republican ticket before, and now I voted the Democratic ticket, I supposed.

Q. Where were you born?—A. In Philadelphia.

Recross-examined:

Q. How long before the election did you quit working for Kaul?—A. About two years.

Q. In speaking Yocum's name and your wanting to vote for him, did you mean to say that you wanted to vote the Republican ticket?—A. I spoke to a couple of fellows, and they thought he was a pretty good fellow to vote. I supposed he was a Republican.

Q. You didn't want to vote for the Greenback nominee for Congress did you?—A. No, sir.

his
JOSEPH + CHEATLE.
mark.

Witness:

GEO. ED. WEIS,
Associate Judge.

The testimony not being concluded, I adjourned the taking of further testimony until to-morrow, March 25th, at the hour of half past eight o'clock in the forenoon.

GEO. ED. WEIS,
Associate Judge.

And now, March 25, 1879, at the same place, pursuant to above adjournment, at 8.30 the taking of testimony resumed.

Geo. A. Rathbun, esq., for the contestee, and Jas. K. P. Hall, for contestant, present.

CHAS. McVEAN produced and sworn.

Question. What is your name?—Answer. Chas. McVean.

Q. Where do you reside?—A. In Saint Mary's, Elk County, Pennsylvania.

Q. Were you in Saint Mary's on the 5th day of November last, the day of the general election?—A. I was.

Q. Do you know John Brindle, sometimes called John Brindle, junior?—A. I do.

Q. Did you see him on that day?—A. I did.

Q. Where?—A. I saw him in the borough of Saint Mary's.

Q. About what time in the day?—A. I should think between two and three o'clock.

Q. Where was he when you saw him?—A. He was out here at the junction of the street at a horse sale.

Q. Has the place you saw him any name by which it was known?—

A. It was in front of Jacob Krauser's saloon or thereabouts.

Q. How far is that from Benzinger Township school-house No. 1, where the Benzinger Township election was held?—A. I should think 30 or 40 rods—I think 40.

Q. How long was Mr. Brindle at that horse sale?—A. Well, I don't know how long. I was there some time and saw him there.

Q. Can you form an estimate of about how long you saw him there?—

A. Well, I couldn't now. I saw him looking at a horse. It appeared to me that he was there during the whole time I was there—perhaps 20 minutes.

Q. Did you see him at any other time during the day on the street?—

A. I don't think I did.

Cross-examined :

Q. Is not the Benzinger polling place in the borough of Saint Mary's?

—A. Yes; I think it is.

Q. How many horses was sold at that sale?—A. I know of only one.

Q. Was it not a horse and wagon that was offered for sale?—A. I think it was.

Q. Who by?—A. He was a stranger to me.

Q. Had the sale been advertised, do you know?—A. I don't know whether it had been or not.

Q. When did you first know of the sale?—A. I knew of it when I saw a large crowd assembled and a man crying the sale, and not until then.

Q. Was this large crowd of people around the horse and wagon that was offered for sale?—A. Yes.

Q. You don't know positively whether Mr. Brindle was there when you came there?—A. I think he was there looking at the horse when I came up.

Q. What was your politics at that time, Mr. McVean?—A. Republican.

Q. Do you hold an official position under the Government of the United States?—A. I do. Postmaster at Saint Mary's.

Q. Did you take quite an active part in the political campaign of last fall?—A. I done something. Not as much as in former years.

CHAS. McVEAN.

EUGENE LENZ produced and sworn.

Question. What is your name?—Answer. Eugene Lenz.

Q. Where do you live?—A. In Saint Mary's Borough, Elk County, Pennsylvania.

Q. Were you one of the election board of the election held in Saint Mary's Borough November 5, 1878?—A. Yes, sir.

Q. What position did you hold?—A. Judge of election.

Q. Were any voters sworn who made written or printed or partially written and partially printed affidavits as to their qualifications as voters?—A. Yes, sir.

Q. How many?—A. There were two affidavits made out and sent to Ridgway.

Q. Were those all the affidavits that were made?—A. Yes, sir.

Q. Did the board have a registry list of the voters?—A. Yes, sir.

Q. Who kept it or had charge of it?—A. I and Kraus, the assessor.

Cross-examined:

Q. Did the parties who made the two affidavits you referred to sign their names at the foot of the affidavits?—A. No, sir.

Q. Will you explain how it was done?—A. I read the affidavits through before I wrote them out and found a clause on the left hand side under every affidavit which showed to me that I had to sign as the party who swore them in.

Q. Then you signed the affidavits instead of the party?—A. Certainly; that was the way I understood it.

Q. Didn't you swear a number of other persons, and permitted them to vote, from whom you took no affidavit?—A. Yes, sir.

Q. What did you do with their names?—A. I wrote their names into the registry.

Q. Was that the assessor's registry list you had in the election room?—A. I don't know.

Q. In whose possession was it?—A. It was partly in my possession and partly in the possession of Mr. Kraus, the assessor.

Q. Did you both have it at the same time?—A. Yes, sir.

Q. Was the assessor with you all the time the polls were open?—A. As much as I can remember, yes.

Q. To what political party did the assessor belong?—A. I cannot tell; I don't know.

Q. You didn't ask him?—A. No, sir.

Q. Did the assessor assist you in ascertaining who had a right to vote?—A. Yes, sir.

Q. Were there any challenges made that day?—A. Yes, sir.

Q. What action did the board take when there was a challenge made?—A. The party was called in and examined.

Q. Were any parties whom you considered had no right to vote excluded from voting?—A. Yes, sir.

Q. Did you require witnesses to prove the parties' right to vote when challenged?—A. Yes, sir.

Redirect:

Q. Were there men who voted at that election whose names were not on the registry list, besides the two who made affidavits?—A. Yes, sir.

Q. When men who were naturalized citizens, who had not voted at that poll for five years, offered to vote, did you require them to produce their naturalization papers?—A. When they were on the registry list I had no right to require anything.

Q. Then, if you found a man's name on the registry list you did not ask for his naturalization paper, although he had not voted in Saint Mary's for five years?—A. No, sir; I did not. I relied on Kraus, the assessor, as to who was properly registered, and who was entitled to vote.

Recross:

Q. When a vote was challenged, did you require them to prove their legal right to vote?—A. Yes, sir.

Redirect:

Q. To what political party do you belong?—A. I always was a Democrat.

EUGENE LENZ.

E. K. STEVENS produced and sworn.

Question. What is your name?—Answer. E. K. Stevens.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since June, 1878.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, which was assessed at least two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania, at the election held in Benzinger Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Seth H. Yocum.

Cross-examined :

Q. Did you pay a State tax within two years prior to the election of 1878?—A. Yes, sir.

Q. What was you assessed with that required a payment of a State tax?—A. I suppose with an occupation ; I had no property.

Q. Who assessed that tax?—A. I couldn't tell now ; I don't know who the assessor was.

Q. When was it assessed?—A. I don't know that.

Q. You don't know that you was legally assessed?—A. I don't know ; but I paid my tax. I was mistaken about paying a State tax, it was a county tax.

Q. To who did you pay it?—A. To Frank Werneth.

Q. He was tax collector for Benzinger Township for the year 1878?—A. Yes, sir.

Q. You went to Benzinger Township in June, 1878?—A. Yes, sir.

Q. When did you pay the tax?—A. September 17, 1878.

Q. Had you lived in Benzinger Township since you went there last June?—Yes, sir.

Q. Are you a married man?—A. Yes, sir.

E. K. STEVENS.

HENRY REDECKER sworn :

Question. What is your name?—Answer. Henry Redecker.

Q. Where do you live?—A. Fox Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I lived there since November.

Q. What time in November?—A. I don't know exactly.

Q. Was it before or after election you moved there?—A. I moved there before election ; but I didn't move everything. I still had my home here the time I moved, sure.

Q. Are you a married man?—A. Yes.

Q. Did you take your family with you when you went there before election?—A. No. I moved my wife over afterwards.

Q. Didn't your wife go there before election?—A. No. I couldn't take her over before election.

Q. What house did you live in in town here?—A. In George Smith's house. I own it.

Q. On what street?—A. Michael street.

Q. Who lived next to you?—A. George Schant.

Q. Have you talked with any one to-day as to the evidence you should give in this case?—A. No. I didn't know what for I came here.

Q. Where did your wife stay while you were gone to Fox Township before she moved?—A. She staid in our house.

Q. Did you vote at the election in Saint Mary's November 5, 1878?—A. I cannot say the day. I voted here anyhow on election day.

Q. Did you vote for any one for Congress?—A. Well, I believe so anyhow.

Q. Who did you vote for for Congress?—A. I don't know any more.

Q. What ticket did you vote?—A. I voted anyhow a Democratic ticket.

A. Didn't you tell Alois Snout that you moved to Cook's mill in October, 1878?

(Objected to by counsel for contestant for the reason that it tends to impeach the testimony of the contestee's own witness.)

A. I don't know whether I told him. I don't know the day when I commenced there.

Q. Wasn't your wife there when you commenced keeping the men?

(Objected to by counsel for contestant, because he is asking the witness to answer a question of facts stated by the counsel for contestee, and leading the witness.)

A. Sure, my wife was there as soon as I commenced keeping the boarders.

Q. Don't you know that you moved to Fox Township in the month of October instead of November?

(Objected to as leading and intending to impeach the witness.)

A. I wouldn't be sure.

Q. Did you move any of your goods to Fox Township before your wife moved?—A. Yes, some.

Q. How long had you been there yourself before your wife moved there?—A. I don't know exactly; I couldn't say how long.

Q. What were you doing there before your wife moved there?—A. I didn't do much of anything.

Q. What did you go there to do?—A. To tend mill there. I commenced grinding 24th or 25th of January.

Cross-examined:

Q. Cook was building a grist-mill, and you was to run it when it was finished?—A. Yes, sir.

Q. When was the mill ready for grinding?—A. It was in January, the 24th or 25th, this year.

HENRY REDECKER.

BENJAMIN SWAINSON sworn.

Question. What is your name?—Answer. Benjamin Swainson.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. About ten years in May.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed over two months and paid over one month prior to November 5, 1878?—A. I paid county taxes.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. I voted for Seth H. Yocum.

Cross examined :

Q. Where were you born ?—A. In England.

Q. Have you been naturalized ?—A. Yes, sir.

Q. When ?—A. On the 26th of May, 1875.

Q. By what court or where ?—A. Ridgway, Elk County.

Q. Have you your naturalization papers here ?—A. Yes.

Q. To whom did you pay taxes ?—A. To Frank Werneth, for 1878, and before that to Glatt, a couple of years.

Q. When did you pay Frank Werneth ?—I paid him on the 28th of September, 1878.

Q. Are you a married man ?—A. Yes, sir.

Q. Have you a family of children ?—A. Yes, I have got a few.

Q. Did you live with your family in Benzinger Township for two months immediately prior to the election of November 5, 1878 ?—A. Yes, sir ; I never left my family.

BENJAMIN SWAINSON.

JOSEPH PATTON sworn.

Question. What is your name ?—Answer. Joseph Patton.

Q. Where do you reside ?—A. In Benzinger Township.

Q. How long have you lived in Benzinger Township ?—A. Fourteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania ?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878 ?—A. Yes, sir ; I paid August 20, 1878, to Frank Werneth.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at an election held in Benzinger Township November 5, 1878 ?—A. Yes, sir.

Q. For whom did you vote for said office ?—A. Mr. Yocum.

Q. Do you remember his given name ?—A. Yes ; Seth H. Yocum.

Cross-examined :

Q. Wasn't it Seth A. Yocum you voted for ?—A. No, I think not, if I can read.

Q. Is there any doubt in your mind about your being able to read ?—A. No, sir.

Q. Was the name of Yocum written or printed on your ticket ?—A. Printed.

Q. Did you pay Frank Werneth a State tax ?—A. I paid him all that was required ; yes, sir, sixty-nine cents.

Q. Are you positive you paid Frank Werneth, August 28th, 1878 ?—A. I was mistaken ; it was paid September 3, 1878.

Q. Where were you born ?—A. I was born in the north of Ireland.

Q. Are you a naturalized citizen ?—A. Yes, sir.

Q. When was you naturalized ?—A. I can't tell ; it was shortly after Henry Clay ran for President.

Q. Where was you naturalized ?—A. In Lycoming County, Pennsylvania.

Q. Have you your papers with you ?—A. No, sir.

JOSEPH PATTON.

IGNATIUS SCHUNT sworn.

Question. What is your name?—Answer. Ignatius Schunt.

Q. Where do you reside?—A. In Saint Mary's, Elk County, Pennsylvania.

Q. Do you know a man by the name of Henry Redecker?—A. Yes, sir.

Q. Where did he reside in relation to your residence?—A. He just lived alongside of us; he was our neighbor.

Q. Does he live there now?—A. No, sir.

Q. Where did he move from there?—A. I could not say; I know he moved before election. I can't say the date.

Q. What election do you mean?—A. The election last fall.

Cross-examined:

Q. Did you belong to the Greenback party in fall of 1878?—A. No, sir.

Q. Did you not support part of their ticket?—A. One man.

Q. Redecker was going back and forth before the election?—A. I seen him here several times.

Redirect:

Q. What man did you vote for on the Greenback ticket?—A. Warren Horton.

Q. What office was he running for?—A. For assemblyman.

IGN. SCHUNT.

DAVID PUNCHEON sworn.

Question. What is your name?—Answer. David Puncheon.

Q. Where do you live?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Ten years since October.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. I have paid every tax I been assessed for since I came to the county.

Q. When did you last pay tax, and to whom?—A. October 10, 1878, to Frank Werneth.

Q. When did you pay tax before that?—A. September 24, 1878, to Mike Glatt.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name?—A. I do; Seth H. Yocum.

Cross-examined:

Q. Where was you born?—A. I was born in Scotland.

Q. Are you a naturalized citizen?—A. I don't know; I think I am.

Q. Have you got your papers with you?—A. Yes, sir.

Q. When were you naturalized?—A. On the 12th day of July, 1876.

Q. Where?—A. Ridgway, Elk County.

Q. Are you positive you paid a county tax in 1877?—A. Yes, sir; I paid 32 cents.

Q. Did you reside in Benzinger Township for two months immediately before the election held November 5, 1878?—A. Yes, sir.

Q. Are you married?—A. Yes, sir.

Q. How old are you?—A. I am 43 since May.

DAVID PUNCHEON.

PATRICK FLEMING sworn.

Question. What is your name?—Answer. Patrick Fleming.

Q. Where do you reside?—A. In Benzinger Township, Elk County.

Q. How long have you resided there?—A. In the neighborhood of seven years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Yocum.

Q. Do you remember his given name?—A. No, sir; I don't.

Cross-examined:

Q. Was it Seth A. Yocum?—A. Yes, sir; I think it was. I don't recollect any more. Yes, sir; that was the given name.

Q. How old are you?—A. Twenty-three, past.

Q. Are you married?—A. Yes, sir.

Q. Had you lived in Benzinger Township for two months before the election held November 5, 1878?—A. Yes, sir.

Q. When did you pay your State and county tax?—A. In October, 1878.

Q. What time in October?—A. It was in October, about the 15th.

Q. Where were you born?—A. In Pennsylvania.

Redirect:

Q. Did you ever pay any other State or county tax besides that you say you paid about October 15, 1878?—A. No, sir.

PAT. FLEMING.

JOHN NISSEL sworn.

Question. What is your name?—Answer. John Nissel.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. Were you one of the election board at the election held in Benzinger Township November 5, 1878?—A. I was.

Q. What position did you hold?—A. I was clerk.

Q. Who were the inspectors?—A. George Decker and John Brindle.

Q. Was John Brindle elected or appointed?—A. He was appointed.

Q. Who appointed him?—A. The election board.

Q. Was he appointed before the rest of the board was sworn?—A. He was not.

Q. Were any votes received before he was appointed?—A. They were.

Q. How many?—A. That I couldn't exactly state. I should think about three, as near as I can judge.

Q. Who was the last man that voted before Brindle was appointed?—A. I don't recollect.

Q. Did any one go out to find some one to fill the board; and if so, who?—A. There did; I think Philip Young went out first—the judge.

Q. Did he find anybody?—A. No.

Q. Did any one else go out?—A. Yes, sir.

Q. Who?—A. John Nissel, myself.

Q. Where did you find Brindle, and did you ask him to act?—A. Yes, sir.

Q. Where did you find him?—A. Outside of the election-poll.

Q. Who were there besides Brindle?—A. Andrew Kaul and some others. I don't know who the others were; that is, I don't recollect.

Q. Did you see Jacob Mallison there?—A. I don't know as I did at that time.

Q. Was Mr. Brindle sworn as an inspector?—A. He was.

Q. Who swore him?—A. That I couldn't tell any more; I think the judge; I am not certain of it.

Q. Was Mr. Brindle present with the board during the rest of the day, after he was appointed, and until the vote was counted?—A. Not all the time.

Q. To what political party do you belong?—A. To the Democratic.

Q. To what political party does Mr. Brindle belong?—A. I don't know; I suppose he is a Democrat.

Q. Were there any persons in the room where the election was held during the day or while the vote was being counted, other than the board and persons called in when challenged?—A. Yes, sir.

Q. How many?—A. There were three in at one time.

Q. Who were they?—A. Joseph Young, George Selle, John M. Myer.

Q. Were there others in the room at other times during the day or evening?—A. Yes, sir.

Q. Who was in there while the vote was being counted?—A. I don't know as there was anybody in during that time.

Q. Were there any intoxicating liquors drank in the room that day? (Objected to by counsel for contestant, for reason there is no allegation in the specifications or answers served by the contestee upon the contestant that intoxicating liquors were in the election room or was drank in the election room at said election.)

A. I couldn't answer that positively.

Q. Did you drink anything yourself in that room, or near the polls?—A. Yes; I ask for a drink of water, and the constable brought some water; when I was about to drink the water I seen a bottle, and I poured a little into the dipper together with the water and drank it.

Q. What kind of liquor was it?—A. I suppose it was whisky or something like it.

Q. How large a bottle was it?—A. It was one of these common bottles; I guess it would hold about a pint and a half or so.

Q. Did any other member of the board drink from that bottle or its contents?—A. I don't know; I didn't pay any attention to the others.

Q. Did you drink from it any more than once during the day?—A. I don't recollect.

Q. How much was in it when you first saw it?—A. About one-third full.

Q. What time in the day was that?—A. It was near noon, about eleven o'clock, I think.

Q. Was there any other bottle there that day?—A. I think there was.

Q. Did you see any other persons drinking there?—A. I don't recollect if I did.

Q. Who had the bottle there besides this one you just spoke of?—A. I think it was Philip Kreckle.

Q. Was any one else besides Philip Kreckle having a bottle in the room?—A. Yes, sir.

Q. Who?—A. Joseph Freese.

Q. Any one else?—A. Not as I know of.

Q. What time in the day was Brindle away from the polls?—A. I don't recollect.

Q. Did he tell you where he had been?—A. I think not.

Q. Was he away more than once?—A. I think so.

Q. Were any other members of the board out?—A. I don't know; I don't think they were more than necessary.

Q. How many times was Brindle out?—A. I don't know; I guess twice.

Cross-examined :

Q. Who composed that election board?—A. Philip Young, judge; George Decker and John Brindle, inspectors; John Nissel and George Fritz, clerks.

Q. Was the balance of the board sworn before the appointment of John Brindle as inspector and before any votes were received?—A. Yes, sir.

Q. Was John Brindle sworn before he entered on his duty?—A. Yes, sir.

Q. In your direct examination you said you did not see Jacob Mallison at the time you were looking for an inspector. Did you see him at any other time after that during the day?—A. I did.

Q. When did you see him?—A. I think it was some time about noon. I could not state the time exactly.

Q. Was it when he voted?—A. Yes, sir.

Q. Did you see him outside of the election house?—A. Yes, sir.

Q. Did the board request you to hunt an inspector?—A. Yes, sir.

Q. Were you hunting an inspector when you saw Mallison the last time?—A. No, sir.

Q. Do you remember whether Andrew Kane was out there the last time you saw Mallison?—A. He was.

Q. Have you any distinct recollection of having seen Mallison before the last time spoken of?—A. I have not.

Q. There was a vacancy in the board when you organized, and you were requested to hunt somebody to fill it, were you not?—A. Yes, sir.

Q. Had you instructions from the board to get any particular person to act as inspector?—A. I had not.

Q. Was John Brindle absent more than a few minutes at any time during the day?—A. I don't know how long he was absent; I don't recollect any more.

Q. Was the balance of the board all present when the three votes were received prior to Brindle's appointment?—A. Yes, sir.

Q. Was there at all times during the day, and at the time Brindle was absent, a majority of the election board present in the election room?—A. Yes, sir.

Q. Was any member of that election board a drunkard?—A. No, sir.

Q. Was any member of the board intoxicated during the day from the opening of the polls until the counting of the vote was completed?—A. No, sir.

Q. Did I understand you to say that three men were all that were in the room besides the election board at one time, and persons authorized to be there?—A. Yes.

Q. Did those three men interfere in any manner with the board or its duties while in the room?—A. No, sir.

Q. Did any other person in the room or elsewhere interfere with the board in the performance of its duties that day?—A. No, sir.

Q. Did you support the whole Democratic ticket that election?—A. Yes; except one office.

Q. You voted for a candidate on the Republican ticket?—A. No, sir.

Q. You voted for a candidate on the Greenback ticket?—A. No, sir.

Q. Do you know to what political party George Selle belonged last fall?—A. I think he was a little mixed; I don't know what he was most.

Q. Was he not supporting a portion of the Greenback ticket?—A. I think so.

Redirect:

Q. Did you see Jacob Mallison more than once during that election-day?—A. I did.

Q. When did you first see him?—A. I don't recollect.

Q. Where were you when you saw him?—A. In the room one time, and out of the election-house at another.

Q. How far apart were these two times?—A. I don't recollect.

Q. Did Mallison vote the first time you saw him?—A. I don't recollect.

Q. What time in the day did he vote?—A. I don't know.

Q. Did Andrew Kaul vote before or after Brindle was appointed and sworn?—A. I think after.

Q. How long after?—A. I don't recollect.

Q. Was Kaul by when you asked Brindle to act as inspector?—A. Yes, sir.

Q. What was Brindle doing when you asked him?—A. He was doing nothing; standing there.

Q. What did he say when you asked him?

(Objected to by counsel for contestee as incompetent, being hearsay.)

A. I don't know as he said anything; he acted like as if he wouldn't wish to serve.

Q. Did Mr. Kaul say anything to Mr. Brindle about going in?

(Objected to by counsel for contestant as incompetent and irrelevant.)

A. I think he did.

Q. What did he say?—A. I think he said he might go in if he wished.

Recross-examined:

Q. Was John Brindle sworn before Jacob Mallisen voted?—A. I think so.

JOHN NISSEL.

JOSEPH EDDY produced and sworn.

Question. What is your name?—Answer. Joseph Eddy.

Q. Where do you live?—A. In Beuzinger Towuship, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Ten years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress

for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined:

Q. To whom did you pay a State or county tax?—A. To Werneth.

Q. When?—A. September 3, 1878.

Q. Did you hand the money to him yourself?—A. Yes, sir.

Q. Where were you when you handed him the money?—A. In my own house.

Q. What Werneth did you pay it to?—A. He writes his name F. Werneth.

Q. How old are you?—A. I am forty.

Q. Are you married?—A. Yes, sir.

Q. Had you lived in Benzinger Township during the two months immediately before the election held November 5, 1878?—A. Yes, sir; ten years before.

Q. When were you naturalized?—A. The 19th day of September, 1876.

Q. Where was you naturalized?—A. In Ridgway, Elk County.

Q. Have you your paper here?—A. Yes, sir.

Q. Did you examine your ticket immediately before you cast it, November 5, 1878?—A. Yes, sir.

Q. Was the name Seth H. Yocum written or printed on your ticket that you voted?—A. It was printed, Seth H. Yocum.

Q. To what political party did you belong November 5, 1878?—A. The Republican.

Q. Don't you know that the Republican tickets in this township of Benzinger were printed without the name of any candidate for Congress upon them?—A. I don't know of any; no, they were not; all I see had the name on.

Q. From whom did you get your ticket?—A. I got my ticket in Dr. Russ's store; it was lying on the counter; I took it up and looked at it.

Q. Don't you know that the Republican party did not have a candidate for Congress on November 5, 1878?—A. I know they had.

Q. Was not Seth H. Yocum the Greenback candidate?—A. No, sir.

Q. What is your business?—A. A miner.

Q. For whom were you mining?—A. I was mining for Coryell—the Saint Mary's Coal Company.

Q. Don't you know that Mr. Russ wrote the name of the candidate on your ticket?—A. No, sir.

Q. Did you see more than one ticket at the store?—A. Yes, sir; there was a pile of them, and I took one.

Q. Was there not writing upon some of those tickets lying on the counter?—A. No, sir; not that I saw.

Q. Did you examine your ticket particularly as to the name of the candidate for Congress?—A. Yes, sir.

Q. Upon what part of your ticket was that name printed?—A. I don't remember what part of the ticket it was on.

Q. What was there on that ticket which indicated for what office Mr. Yocum was running?—A. Congress.

Q. Where was the word Congress with reference to the name?—A. Right opposite or after his name; close beside his name. I meant in front of his name.

Q. Have you talked with any one in regard to the name of the candidate for Congress since the election?—A. No.

Q. You have not any distinct recollection of just how that name was printed on that ticket, have you?—A. I have no distinct recollection, only what I give, that Congress was on the front of his name, on the same line.

JOSEPH EDDY.

DAVID LESLIE sworn.

Question. What is your name?—Answer. David Leslie.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I lived there ten years the 29th of this month; have been away twice during that time.

Q. Did you live in Benzinger Township for two months immediately before the 5th of November, 1878?—A. Yes. I lived over three years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir; I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. For Seth H. Yocum.

Cross-examined:

Q. When were you assessed?—A. In September or October, 1878; I don't remember.

Q. By whom?—A. I don't know his name; he is a German, and teaches school.

Q. Where?—A. At my house.

Q. With what was you assessed?—A. Household effects; I have no real estate.

Q. What kind of household effects?—A. A stove and a wife, &c.

Q. To whom did you pay tax?—A. Frank Werneth, I think is his name, the tax collector.

Q. When?—A. October the 5th, 1878.

Q. Where?—A. At the house.

Q. State the date you got the receipt I handed you.—A. On the 5th of October, 1878.

Q. When did you get that receipt?—A. I got this receipt after that; I paid him about the last of November, 1878.

Q. How came you to pay two county taxes for the same year?—A. I paid that 40 cents so that I could vote.

Q. Was not the 32 cents county tax paid by you in November all the county tax that was assessed against you for 1878?—A. No, it was 40 cents assessed for poll tax.

Q. Did you not pay 40 cents on account of your taxes October 5th, 1878?—A. Yes.

Q. Where was the receipt of October 5, 1878, written?—A. In the house, I believe; it was written the same place where the other one was written.

Q. Whose house?—A. In my house where I live.

Q. Who wrote that receipt of October 5, 1878?—A. F. Werneth, I think.

Q. Is not that receipt in the handwriting of Mr. Ames?—A. No, it ain't.

Q. You are positive about that, are you?—A. Yes.

Q. Who was present at the time this receipt was given?—A. My wife was present at the time.

Q. Any one else?—A. No.

Q. How did you pay that tax?—A. I paid it in money.

Q. To what political party do you belong?—A. To the Republican.

Q. How old are you?—A. I was born in 1846, in August.

Q. Where?—A. In Scotland.

Q. When did you come to this country?—A. In 1869.

Q. Did you examine your ticket immediately before you cast it, November 5, 1878?—A. Yes, sir; I examined two or three times.

Q. Did you examine it particularly in reference to the name of the candidate for Congress upon it?—A. Yes, sir.

Q. Was the name Mr. Yocum written or printed upon it?—A. Printed.

Q. Did you vote the straight Republican ticket?—A. Yes, sir; I did.

Q. Don't you know that the Republican ticket was printed without the name of any candidate for Congress upon it?—A. I know that that I got had the name Seth H. Yocum printed upon it.

Q. Did you see any other Republican tickets?—A. No.

Q. What is your business?—A. Coal-digger, or miner.

Q. For whom were you working November 5, 1878?—A. For the Saint Mary's Coal Company.

Redirect:

Q. Were you ever naturalized?—A. Yes.

Q. Where?—A. In Ridgway.

Q. When?—A. On the 12th day of July, 1876.

Q. Did you see Frank Werneth sign your tax receipts for the 40 cents?—A. I didn't see him sign it; but the wife saw him, I suppose.

Recross-examined:

Q. How much county tax did you pay on October 5 and November 29, 1878?—A. I paid 40 cents.

Q. How much did you pay November 29?—A. I paid November 29, \$2.10; and 40 cents was paid, making \$2.50.

Q. How much does those two tax receipts amount to?—A. Two dollars and ninety cents.

DAVID LESLIE.

LEWIS THOMAS sworn.

Question. What is your name?—Answer. Lewis Thomas.

Q. Where do you reside?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since the 16th of April last.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. Yes, sir; I voted for Seth H. Yocum.

Cross-examined :

Q. When were you assessed ?—A. I have been assessed in Fox Township regular for six or eight years.

Q. When were you assessed for the tax you testified to ?—A. I couldn't tell rightly when it was assessed.

Q. By whom was it assessed ?—A. I believe Hershey was assessor at that time.

Q. Where did Hershey assess you ?—A. In my own house.

Q. Were you present ?—A. No, sir.

Q. Then you have no personal knowledge of the assessment ?—A. No, sir ; I have not.

Q. When did you pay that tax ?—A. I can't read writing.

Q. Was it on the date of this receipt ?—A. Yes, sir.

Q. How do you know it was the date of this receipt ?—A. Because he gave me a receipt right at the time I paid it.

Q. Was not this receipt dated back ?—A. No, sir.

Q. How did you pay it ?—A. I paid it with money.

Q. To what political party did you belong on November 5, 1873 ?—A. To the Greenback party.

Q. What party ticket did you vote ?—A. I voted the Greenback ticket, with the exception of J. J. Taylor.

Q. Did you examine your ticket immediately before you cast it, November 5, 1878 ?—A. Yes, sir.

Q. Did you examine it particularly as to the name of the candidate for Congress ?—A. Yes, sir ; I did.

Q. Was the name of the candidate written or printed upon your ticket ?—A. It was printed.

Q. Can you read ?—A. Yes, sir ; I can read print a little.

Q. Did you read every name on the ticket ?—A. Yes, sir.

Q. For what office was he running ?—A. For Congress.

Q. Was not the name on that ticket Seth Yocum ?—A. No, sir ; it was Seth H. Yocum.

Q. Have you talked with any one with reference to the name of the candidates on that ticket at any time since election ?—A. No, sir ; not any one.

Q. Have you heard the name talked over ?—A. I might have heard the name talked over, but never interfered with it.

Q. Is not your recollection of what was on that ticket based somewhat upon conversation which occurred since the election ?—A. No.

Q. What is your business ?—A. I am mining coal.

Q. For whom ?—A. For the Saint Mary's Coal Company.

Q. Where was you born ?—A. In South Wales.

Redirect :

Q. Were you ever naturalized ?—A. Yes, sir.

Q. Where ?—A. In Ridgway, Elk County, Pennsylvania.

Q. When ?—A. 22d September, 1876.

LEWIS ^{his} + THOMAS.
mark.

Witness: GEO. ED. WEIS, *Associate Judge*.

ROBERT ROBERTSON sworn.

Question. What is your name ?—Answer. Robert Robertson.

Q. Where do you reside ?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I have lived there for eighteen months at one time.

Q. Did you live there for two months immediately before November 5, 1878?—A. Yes; I lived there before that.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Have you a receipt?—A. Yes, sir.

Witness produces receipt, of which the following is a copy:

“BENZINGER TOWNSHIP,
“Sept. 14, 1878.

“To ROBERT ROBINSON:

“D’R SIR: The following bill of taxes has been placed in my hand for collection. Please call and settle the same within thirty days, and oblige

Yours truly,

F. WARMTH.

“County tax.....	\$.40
“State tax	—
“Amount.....	\$.40

“Received payment Oct. 5, 1878.

“F. WARMTH,
“Collector.”

Q. Did you pay this tax personally to Mr. Warmth?—A. No, sir.

Q. To whom did you pay it?—A. I authorized W. W. Ames to pay that.

Q. From whom did you receive this receipt?—A. From W. W. Ames.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township November 5, 1878?—A. I did.

Q. For whom did you vote for said office?—A. For H. Yocum.

Q. Did he have any other given name besides H.?—A. Seth H. Yocum.

Cross-examined:

Q. Where was you born?—A. Scotland.

Q. What is your business?—A. A miner.

Q. For whom do you work?—A. At Saint Mary’s Coal Company.

Q. When were you assessed?—A. I was assessed in January or February.

Q. What year?—A. I was assessed for 1877, in February; in 1878, in January; and in February, for 1879.

Q. By whom?—A. I don’t know his name.

Q. Where?—A. In Strout’s house one of the times, in 1878; in my father’s house, in 1877.

Q. With what was you assessed?—A. On occupation, for being a miner.

Q. When did you pay Mr. Ames the tax you have testified to?—A. I paid him on election day.

Q. When did he give you that receipt?—A. He gave to me to-night, March 25, 1879.

Redirect:

Q. Were you ever naturalized?—A. Yes, sir.

Q. Where?—A. At Ridgway, Elk County, from Fred. Schoening, prothonotary.

Q. When?—A. On the 12th of July, 1876.

Recross-examined :

Q. Have you talked with any one in regard to what you was to swear to before this commission?—A. No, sir.

Q. Have you talked with any one in regard to the name of the candidate for Congress?—A. Yes, sir; I heard that they wanted to throw him out.

Q. To what political party did you belong November 5, 1878?—A. To no party; I generally picked the best man to the best of my knowledge.

Q. Don't you always vote the Republican State ticket?—A. No; I didn't that time.

Q. What party county ticket did you vote November 5, 1878?—A. I voted for Ames; he was Republican. I voted for Brunner; he was Democrat; and the balance I plastered up.

ROBERT ROBERTSON.

The testimony not being concluded I adjourned the taking of further evidence until the 26th of March, 9 o'clock in the forenoon.

GEO. ED. WEIS,
Associate Judge.

And now, March 26, 1879, at 9 o'clock a. m., in pursuance of above adjournment the taking of testimony resumed at the same place. Mr. Ames, for contestee, and Jas. K. P. Hall, for contestant, present.

DERIUS HANES, sworn and examined on part of contestee, who testified as follows:

Question. What is your name?—Answer. Derius Hanes.

Q. What is your age?—A. Thirty years old.

Q. Where did you reside November 5, 1878?—A. Benzinger Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About three years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Benzinger election district on November 5, 1878 for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Seth Yocum, I believe was the man's name.

Q. Do you remember whether Seth Yocum for whom you voted had a middle letter to his name?—A. I think he did.

Q. Can you remember what it was?—A. I think it was M; I would not be positive.

Cross-examined by Mr. HALL:

Q. Was it not Seth A. Yocum you voted for?—A. I would not be positive; it might be A or it might be M.

Q. Where were you born?—A. I was born in Potter County.

Q. Are you married?—A. Yes, sir.

Q. How long have you been married?—A. Eleven years.

Q. Did you live in Benzinger Township during the two months immediately before the election held November 5, 1878?—A. Yes, sir.

Q. In what part of the township did you live?—A. On Trout Run.

Q. You lived in what is called Kaul's Lumber Camp, did you not?—A. Yes, sir.

Q. Are you positive that lumber camp is in Benzinger Township?—A. I am.

Q. Do you know where the township line crosses Trout Run?—A. Yes, sir.

Q. Is it above or below where you live?—A. Below where I live.

Q. When did you pay your State and county tax?—A. I paid them in 1876, 1877, and 1878.

Q. To whom did you pay the tax in 1876?—A. To Glatt.

Q. What time in '76?—A. I couldn't say what time.

Q. To whom did you pay the taxes in '77? A. Glatt.

Q. Where did you pay them?—A. At the election polls.

Q. At what date?—A. I don't know whether it was in the spring or fall.

Q. How did you pay them?—A. In money.

Q. How much did you pay?—A. I believe it was a dollar and thirty-five cents; I ain't positive.

Q. Did you get a receipt?—A. Yes, sir.

Q. Have you the receipt with you?—A. I have not.

Q. Where is it?—A. It's at home.

Q. When did you pay the taxes of '78?—A. I paid them on election day in fall.

Q. To whom did you pay that tax?—A. To Frank Werneth.

Q. How much State and county tax did you pay him?—A. I believe one dollar and thirty-six cents; I am not positive; that was my whole tax; my State and county tax was not that much; the same in 1877.

Q. In 1877, didn't the collector tell you that your taxes were a dollar and thirty-five cents?—A. Yes, sir.

Q. Was there any school tax and road tax in the amount you paid in 1877?—A. I think they were both in.

Q. What did the school tax and road tax amount to?—A. I couldn't say.

Q. Can you say positively that you paid a State and county tax in 1877 which was included in the \$1.35?—A. I think I did, according to the bill they sent me.

Q. Can you state positively?—A. I can say positively that I paid the bill as it was handed to me, with State and county tax on it, in full.

Q. Did you have the bill with you when you paid the tax?—A. I did.

Q. Did the collector receipt that bill?—A. I think he did.

Q. Do you know that he did?—A. I wouldn't be positive.

Q. Then you don't know certainly whether the State and county tax was included in the amount you paid or not?—A. I know it was in that bill.

Q. Do you know certainly whether it was in the amount you paid him?—A. Yes; I know it was in the amount.

Q. Who assessed you for the tax of 1877?—A. Well, sir, I could not say who did assess me.

Q. Do you know when you were assessed?—A. I couldn't say positively; it was in the spring.

Q. Was it in the spring of 1878?—A. I think that was in the spring of 1877.

Q. You don't know positively what spring it was?—A. I know positive in the spring of 1877.

Q. Who assessed you in the spring of 1877?—A. I forget who it was.

Q. What was you assessed with in 1877?—A. One cow.

Q. Anything else?—A. I believe not.

Q. What time in the day did you vote November 5, 1878?—A. About 2 o'clock.

Q. To what political party do you belong?—A. To the Republican.

Q. Were you around the polls a good deal November 5, 1878?—A. Mostly all day.

Q. Did you ever work any for Andrew Kaul?—A. Yes, sir.

Q. For how long since?—A. I have been working and dealing with and for Andrew Kaul for about five years.

Q. Did he not sell you the land you are living on now?—A. Yes, sir.

Q. Is it paid for yet?—A. No, sir.

Q. Were you not peeling bark and delivering it to him during the summer and fall of 1878?—A. I peeled all summer; might have delivered some.

Q. Were you not delivering shingles for him in 1878, and when did you make them?—A. I made some in 1877 and some in 1878, and delivered them in 1878.

Q. Have you worked for him in any manner since the election in 1878?—A. Yes, sir; I delivered shingles and bark; I didn't work any by the day's work.

Q. Did you have any conversation with Andrew Kaul on the day of election held November 5, 1878, as to voting for a member of Congress?

(Objected to by counsel for contestee as not being proper cross-examination in that it is inquiring about matter not referred to in the direct examination.)

A. Yes, sir.

Q. Was it before you voted?—A. Yes, sir.

Q. Well, what was that conversation?—A. Well, he told me he wanted me to vote for Governor Curtin; then I told him that went against the grain; he told me then to do as I pleased; he said he would like to have me vote for him, but if I wouldn't, to vote to suit myself.

Q. You were around the polls most of the day?—A. Yes, sir.

Q. Was that election, in your opinion, a free and fair election?

(Objected to by counsel for contestee as not proper cross-examination, and it is asking the witness's opinion as to a fact beyond his knowledge.)

A. As far as I could see, it was.

Q. Did you read your ticket before you voted it?—A. Yes, sir.

Redirect:

Q. State whether you worked for Andrew Kaul, either by the month or day, during the year 1878?—A. No, sir.

Q. Whose hemlock bark and shingles did you deliver to Andrew Kaul in 1878, or since election?—A. The shingles was his at the time I delivered them; I sold them to him and he paid for them. I sold him the bark; part he paid for and part he hadn't.

Recross:

Q. Didn't Mr. Andrew Kaul purchase the shingle timber out of which the shingles were made, and permit you to make them, allowing you

what they brought less the cost of the timber and the cost of selling?—
A. Yes.

Q. The bark came off of the land which he sold to you, and which is not paid for?—A. Yes.

Q. What is Andrew Kaul's reputation as an honest and upright citizen?

(Objected to by contestee's counsel as not being cross-examined, asking the witness questions about matters not referred to in any way in the direct examination, and irrelevant.)

A. Good, as far as I ever heard.

Q. You consider him a fair man?—A. Yes, sir.

DERIUS HANES.

JOSHUA SYKES sworn.

Question. What is your name?—Answer. Joshua Sykes.

Q. What is your age?—A. Over forty-six.

Q. Where did you reside November 5, 1878?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About four years, a little over.

Q. Are you a citizen of the United States, and of the State of Pennsylvania?—A. Yes, sir; I was born in Pennsylvania.

Q. Did you pay a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir, I did.

Q. Did you vote at the general election held in Benzinger election district November 5, 1878?—A. I did; if that was the day on which the general election was held.

Q. Did you vote for a person for Representative in Congress for the twentieth Congressional district of Pennsylvania?—A. If the twentieth district includes this territory, then I did.

Q. For whom did you vote for said office?—A. To the best of my knowledge, I voted for a man by the name of Yocum.

Q. Do you remember his given name?—A. No, sir; I don't remember his given name.

Cross-examined:

Q. Was the name Seth H. Yocum?—A. I could not tell that. I got the ticket, and I was satisfied he was the regular Republican nominee for that office.

Q. Who told you Yocum was the regular nominee?—A. I got the ticket from Doctor Russ or Snaden, and I confided enough in them to believe that it was the regular Republican ticket.

Q. Was Doctor Russ connected with the Saint Mary's Coal Company?—A. I can't tell whether he was or not; I believed him to be a stockholder at that time.

Q. Was he not a partner in a store from which the miners got their supplies?

(Objected to by counsel for contestee as not cross-examination.)

A. The miners of the Saint Mary's Coal Company get most of their supplies there.

Q. What was Mr. Snaden's business?—A. Boss miner at that time.

Q. Did you read your ticket before you voted it?—A. Yes, sir.

Q. Was the name of Yocum written or printed on that ticket?—A. Printed.

Q. What are your politics?—A. Generally Republican; sometimes I voted Democratic, or part of that ticket.

Q. Was Mr. Snaden at or near the polls when you voted?—A. I met him going away from the polls when I was going to the polls. I am not sure whether I got the ticket of him or Russ.

Q. What time in the day did you vote?—A. Between two o'clock and sundown; I won't be certain.

Q. Are you a married man?—A. Yes, sir.

Q. How long have you been married?—A. Since 1853.

Q. Had you lived in Benzinger Township for the two months immediately before the general election held November 5, 1878?—A. Yes, sir.

Q. How much county tax did you pay in 1877?—A. I can't tell you that.

Q. How much State tax did you pay in 1877?—A. I couldn't tell you that.

Q. Did you pay a State or county tax in 1876?—A. Yes, sir; I paid both.

Q. What time in 1876?—A. I can't tell you the date I paid it.

Q. In 1877 you paid the amount of your tax bill?—A. Yes, sir.

Q. To whom did you pay?—A. I think I paid it to Mr. Glatt; I ain't certain; I know I paid it to him several times, the last two years, I think.

Q. Who was collector for Benzinger Township for 1878?—A. I think Frank Werneth is collector. I haven't paid him that tax yet.

Q. Then you paid Mr. Glatt several times during the year 1877?—A. I didn't mean that I paid two different taxes in 1877.

Q. Did you pay the 1878 tax to any one?—A. No, sir; I don't think I paid that.

Q. When did you pay the '77 tax to Mr. Glatt?—A. I think it was last fall.

Q. Do you know it was last fall?—A. I don't know it was last fall, but I know it has not been a year since.

Q. A year from this date?—A. Yes.

Q. You paid the amount of taxes that the collector had against you for 1877?—A. Yes, sir.

Q. Do you know as a fact that you paid a State and county tax?—A. I feel satisfied that was the tax; if there was a State or county tax assessed against me I paid it.

Q. You don't know as a fact that there was a State or county tax assessed against you for 1877 included in the amount you paid the collector?—A. Certainly there was, to the best of my knowledge.

Q. Do you know if there was a State or county tax assessed against you for the year 1877?—A. I believe I do.

Q. Who assessed you?—A. I don't believe I can name him; he is a big, fat-faced fellow; I don't know any of the assessors.

Q. When did he assess you?—A. I don't know; I guess it was the spring of the year.

Q. What year?—A. I have been assessed regularly every year since I have been here.

Q. Don't you know that there were road and school taxes in the amount you paid Mr. Glatt for the year 1877?—A. I think there was.

Q. Are you positive the taxes you paid Mr. Glatt were the taxes of 1877?—A. I feel pretty certain; I might be mistaken, but don't think I am.

Q. Do you know positively for what year and for what taxes you paid Mr. Glatt?—A. I feel very certain that I have paid all the taxes that were ever assessed against me except last year tax, and to the proper collector.

Redirect:

Q. State whether you paid State or county tax in 1877?—A. I did if if they were assessed against me, and I feel satisfied they were.

Q. Who was the regular Greenback candidate for Congress?—A. I don't know that; I don't remember.

JOSHUA SYKES.

JOSEPH CORLY produced and sworn.

Question. What is your name?—Answer. Joseph Corly.

Q. What is your age?—A. Twenty-nine.

Q. Where did you reside November 5, 1878?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About ten years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Did you pay a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Benzinger election district on November 5, 1878?—A. Yes, sir.

Q. Did you vote for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes, sir.

Q. For whom did you vote for said office?—A. For Seth H. Yocum.

Cross-examined:

Q. To what political party did you belong at the time you voted?—A. Republican.

Q. What is your business?—A. Coal miner.

Q. For whom were you mining coal in 1878?—A. For Saint Mary's Coal Company.

Q. Did you read your ticket before your voted it?—A. Yes, sir.

Q. Was the name of Seth H. Yocum written or printed on the ticket you voted?—A. Printed.

Q. From whom did you get your ticket?—A. From McVeair.

Q. He is postmaster, is he not?—A. Yes, sir.

Q. When did you pay a State or county tax?—A. I paid my tax in 1877 and in 1878.

Q. To whom did you pay the taxes in 1877?—A. To Mike Glatt.

Q. What time in 1877?—A. On the 27th of January, 1877, I paid taxes of 1876.

Q. To whom did you pay the taxes in 1878?—A. To Frank Werneth.

Q. When?—A. December 5, 1878.

Q. For what year was the tax assessed you paid to Glatt?—A. For 1876.

Q. Did you pay the tax in money?—A. Yes, sir.

Q. Who assessed you in 1876?—A. Dewald, I believe, was assessor.

Q. What were you assessed with?—A. I don't know. I didn't see the assessor. I have no property.

Q. You paid Frank Werneth the tax of 1878?—A. Yes, sir.

Q. Does your father reside in Benzinger Township?—A. Yes, sir.

Q. Where was he born?—A. In Bavaria, Germany.

Q. Were you born in Pennsylvania?—A. Yes, sir.

Q. Was Seth H. Yocum the Republican nominee for Congress?—A. No, sir.

Q. Did the Republicans have a candidate for Congress at the election November 5, 1878?—A. No, sir; not as far as I know.

Redirect :

Q. Who was collector of taxes in Benzinger Township in 1877?—A. Michael Glatt.

JOSEPH CORLY.

ROBERT JOHNSTON sworn and examined.

Question. What is your name?—Answer. Robert Johnston.

Q. What is your age?—A. Forty-three.

Q. Where did you reside November 5, 1878?—A. In Benzinger Township, Elk County, Pennsylvania.

Q. How long had you lived there?—A. Eleven years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Had you paid a State or county tax within two years, which was assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Benzinger election district November 5, 1878?—A. Yes.

Q. Did you vote for a person for Representative in Congress for the twentieth Congressional district of the State of Pennsylvania at said election?—A. Yes.

Q. For whom did you vote for said office?—A. Seth H. I can't remember the balance.

Q. What party ticket did you vote at that election?—A. The Republican ticket.

Q. Do you now remember the name of the man you voted for for Congress?—A. Yes; Seth H. Yocum.

Cross-examined :

Q. Where were you born?—A. In Scotland.

Q. What is your business?—A. Miner or coal-digger.

Q. For whom were you working in November, 1878?—A. I was working for Saint Mary's Coal Company.

Q. Where did you get the ticket you voted at the November election, 1878?—A. Of George Bieberger, down at the poll.

Q. Did you read the ticket you voted?—A. No, sir, I did not.

Q. You don't know, then, whether you voted for a member of Congress or not?—A. No, sir, I cannot swear to that. I did what I will never do again; I took the ticket out of a man's hands and voted without looking at it.

Q. Are you a Republican?—A. Yes.

Q. Was it your intention to vote for a Greenback candidate for Congress?—A. No, sir; I didn't intend to vote for a Greenback candidate or Republican; all I wanted was to vote for Mr. Ames.

Q. Mr. Ames was the Republican candidate for assembly, was he not?—A. Yes, sir.

Q. When did you pay a State or county tax?—A. The 2d of October, 1878.

Q. Have you a receipt here?—A. Yes.

Q. To whom did you pay it?—A. To Frank Warneth.

Q. Did you pay it to him yourself?—A. Yes, sir, in my own house.

Q. How much county tax did you pay?—A. Thirty-two cents.

Q. Do you know when that tax was assessed?—A. I couldn't tell. It was the beginning of the year 1878 sometime. I can't tell the date.

Q. Is the man who gave you the ticket you voted deputy postmaster under Charles McVean, in Saint Mary's?—A. Yes, sir.

Q. Was he at that time?—A. Yes, sir.

Q. He gave you the ticket at the polls?—A. Yes.

Redirect:

Q. State whether you knew that you were voting the whole ticket at the time you did vote?—A. No, sir; I was not voting the whole ticket; I was voting the whole Republican ticket.

ROBERT JOHNSTON.

WILLIAM PUNCHEON sworn.

Question. What is your name?—Answer. William Puncheon.

Q. Where do you live?—A. Benzinger Township, Elk County, Pennsylvania.

Q. What is your age?—A. I am 22 now.

Q. When was you 21 years of age?—A. I was 21 a year ago the 27th of January last.

Q. Where did you reside the 5th day of November, 1878?—A. I resided in Benzinger Township.

Q. How long have you lived there?—A. A little over nine years.

Q. Did you vote for a member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Benzinger Township election district on the 5th day of November, 1878?—A. Yes, sir.

Q. For whom did you vote at said election for said office?—A. For Seth H. Yocum.

Cross-examined:

Q. How do you know you were 21 a year ago last January?—A. I've been told so; I saw writing to that effect; I can't swear to it.

Q. Did you ever vote before?—A. I believe I voted once before, at the spring election in 1878.

Q. What is your business?—A. Mining.

Q. For whom did you work on the 5th day of November, 1878?—A. For the Saint Mary's Coal Company.

Q. What time in the day did you vote?—A. Between three and four o'clock in the afternoon, I suppose.

Q. Did you see Mr. Snaden at the polls?—A. No, sir; Mr. Snaden wasn't at the polls when I was there.

Q. To what political party do you belong?—A. I have no certain party.

Q. Did you read your ticket before you voted it?—A. I read the most of it; I might have missed some of the names.

Q. Are you certain there was a candidate for Congress on the ticket?—A. Yes, sir.

Q. It was Seth H. Yocum, was it?—A. Yes, sir.

Q. Was it not Seth A. Yocum?—A. No, sir.

Q. Have you remembered the name ever since election until now?—A. I have.

Q. Didn't some one tell you recently that Seth H. Yocum was the name that was on that ticket?—A. No, sir; I had heard it talked about since, but I remember the name since that day.

Q. From whom did you get your ticket?—A. From David Puncheon.

Q. To what political party does he belong?—A. I suppose he belongs to the Republican party.

WILLIAM PUNCHEON.

ALVIS C. SCHANT sworn.

Question. What is your name?—Answer. A. C. Schant.

Q. What is your age?—A. Twenty-four years.

Q. State whether you have been serving subpœnas for the contestee, for witnesses to appear at Saint Mary's, to there give testimony in this contest?—A. Yes, sir.

Q. State whether you had subpœnas for Frank Reesman, Joseph Halbe, Absolom Coule, Samuel Wurtz, Stephen Burk, and Pat McGeehan.—A. I have.

Q. State whether you served a subpœna on them or either of them?—A. I did not.

Q. Why?—A. Because I could not find them.

Q. What effort did you make, if any, to find them?—A. I asked every place I came to while serving subpœnas if anybody knew any of them, and was always answered in the negative.

Q. In what place did you look and inquire?—A. I inquired in the borough of Saint Mary's, in Benzinger Township, in Fox Township, and in Benzette Village.

Q. State whether you found any person who knew them or had known them or their residence?—A. Not that I remember.

Q. State whether your search was diligent or not?—A. I asked every place I could think of to find them.

Q. State whether you are acquainted and have recently seen W. M. Long?—A. I have.

Q. Did you have any conversation with him in relation to the election of November 5, 1878?—A. I did.

Q. What was that conversation?

(Objected to by counsel for contestant, for the reason that any conversation had by the witness with said Long is incompetent and irrelevant in this contest, and being hearsay.)

A. I asked him who he voted for for Congress last fall; he told me he voted for Curtin.

Q. Did you have any conversation with Joseph Finfinger, Sebastian Kraft, Sebastian Sporer, Mat. Malone, Michael Nichlous, Joseph Sporer, Albert Dippold, John Bimel, Michael Nibert, George Wiesner, Valentine Nibert, Nick Nibert, John Wolf, George Kugler, Herman Stockman, Jacob Simmons, Peter Weller, John Ehrensberger, George Wittman, Joseph Baumer, Englebert Spellenberg, and Charles Weis, about the election held November 5, 1878?—A. I had conversation with all but Michael Nichlous and George Wiesner.

Q. What was that conversation?

(Objected to by counsel for contestant, to the witness giving testimony as to conversations had with any of the parties named, as being incompetent and irrelevant, to prove anything in this contest, and being hearsay.)

A. I asked them whether they voted for Curtin or Yocum, and was told by all excepting Joseph Baumer they voted for Curtin. Joseph Baumer said he did not know for whom he voted; he got his ticket from Charles Luhr and voted it.

Q. State whether anything was said about what office Yocum and Curtin were running for?—A. I am not certain in all cases, but in some.

Q. How long since did this conversation occur?—A. Some I asked when I subpœnaed them, others when they came to this office on the day they were subpœnaed to be here.

Cross-examined :

Q. During the taking of testimony at the office of W. W. Ames, in Saint Mary's, in this contest, have you not been working under pay for the Yocum side?—A. Yes, sir.

Q. You were employed to serve the subpoenas on witnesses, and attended to getting them to the office when wanted to testify?—A. Yes, sir.

Q. Who employed you?—A. W. W. Ames, counsel for the contestee.

Q. Were you instructed to ask the witnesses upon whom you served subpoenas to appear and testify at the office of Mr. Ames, on the part of the contestee, how they voted?—A. Yes, sir.

Q. And to ascertain whether they were legal voters or not?—A. Not in all cases.

Q. Were you in the cases of the parties whom you have mentioned here?—A. Yes, sir.

Q. Who, if any, of these parties appear here as commanded to do by the subpoena?—A. Wm. M. Long, Sebastian Sporer, Joseph Finfinger, Sebastian Kraft, Joseph Sporer, John Brinel, Charles Weis, Albert Dippold, George Wittnan; that's all.

Q. How many of the parties named that you subpoenaed did you notify not to come afterward?—A. I cannot remember.

Q. Did you notify Mat. Malone not to come?

Q. Didn't Mike Nibert appear here?—A. Yes, sir.

Q. Did Nick Nibert appear here?—A. He appeared before his time.

Q. Did John Walker appear?—A. Not to my knowledge.

Q. Did you notify him not to come?—A. I sent him word not to come. I did not see him myself.

Q. Did you tell Michael Nichlous not to come?—A. Michael Nichlous appeared.

Q. Did you tell George Keigler or send him word not to come?—A. I sent him word.

Q. Did Herman Stockman appear, or did you tell him not to come?—A. No, sir; I told him not to come.

Q. Did Jacob Simmons appear?—A. Not to my knowledge.

Q. Did you send him word or tell him not to appear?—A. No, sir.

Q. Didn't Peter Weller and John Ehrensberger appear here?—A. No, sir.

Q. Did you tell them not to come?—A. I told them not to come.

Q. Did you notify and tell Joseph Baumer and E. Spellenberger not to come?—A. I told Spellenberger at his house not to come, and I told Baumer on the street not to come.

Q. Did not the parties whom you mentioned, who appeared in obedience to the subpoenas served upon them, come to the office of W. W. Ames to give testimony, as they were commanded in said subpoenas?—A. Most of them came on account of their witness fees.

Q. Didn't they tell you they had appeared here at the day and time they were commanded to appear?—A. I don't remember of any saying so.

Q. Did you or the counsel for the contestee pay the witness fees to those who appeared?—A. Yes, sir.

Q. Were they not examined privately by yourself or counsel for the contestee as to their qualifications to vote at the general election held November 5, 1878?—A. Yes, sir.

Q. Was it not because the counsel for the contestee, either from examining the witnesses themselves or from information obtained from you or

other sources, know the parties were legal voters at said election that the said witnesses were paid and discharged?—A. I suppose so.

Q. Was it not because the counsel for the contestee had ascertained that the parties you notified or sent word to not to appear in obedience to the subpoenas served on them were legal voters at said election held November 5, 1878, that they were notified not to appear as they were commanded by the subpoena served upon them?—A. Yes, sir.

Q. Who told you to notify them not to appear?—A. Counsel for contestee.

Q. You don't know the witnesses you could not find, as stated in your direct examination?—A. No, sir.

Q. How long have you lived in Saint Mary's?—A. I have been born and raised here. I lived here for the last three years all the time, excepting a month or so at the time.

A. C. SCHANT.

Not being able to conclude the taking of testimony, and upon the agreement of the counsel for the parties, I adjourn the further taking of evidence until 9 o'clock in the afternoon of Saturday next, being the 29th of March, A. D. 1879.

GEO. ED. WEIS,
Associate Judge.

And now 9 o'clock a. m. March 29th, 1879, the taking of evidence resumed at the same place. W. W. Ames for contestee, and J. K. P. Hall for contestant, present.

A. C. SCHANT produced and sworn:

Question. What is your name?—Answer. A. C. Schant.

Q. State whether you served the subpoenas for the contestee for witnesses to appear in Saint Mary's Borough, at the law office of W. W. Ames?—A. Yes, sir.

Q. State whether the subpoenas you now hold in you hand are the subpoenas so served.—A. Yes, sir.

(Subpoenas offered by counsel for contestee as referred to by the witness as evidence in this case, and marked Exhibit A.)

Q. State what those papers are you hold in your hand?—A. Pay-rolls of contestee.

Q. State whether the parties whose names therein appear were paid at the time and place therein mentioned?—A. Yes, sir.

A. C. SCHANT.

Pay-rolls offered by counsel for the contestee, marked Exhibit B, and hereto attached. Counsel for contestee also offers the notices of examination of witnesses, service accepted by C. H. McCauly, attorney for A. G. Curtin, dated March 8, 1879, and March 12, 1879, and March 20, 1879, marked C, and is hereto attached.

STATE OF PENNSYLVANIA,
Elk County, ss:

I, George Ed. Weis, an associate judge of the court of common pleas in and for the said county, before whom the depositions of the above and foregoing mentioned witnesses were taken, do hereby certify Thomas Craig, Philip Young, George Decker, Frank Warnish, Andrew Dippold, Jacob Mallison, George Weigel, Marcus Boehringer, Wolfgang Blend, Mathias Gerg, John W. Fox, Anthony Gibbons, James A. Burke, Wil-

liam McCauley, William H. Meredith, N. G. Bundy, Andrew Lindner, Samuel Kelley, Dr. H. Straessly, Joseph Cheate, Charles McVean, Eugene Lenz, E. K. Stevens, Henry Redeker, Benjamin Swainson, Joseph Patton, Ignatius Schant, David Puncheon, Patrick Fleming, John Nissel, Joseph Eddy, David Leslie, Lewis Thomas, Robert Robertson, Darius Hanes, Joshua Sykes, Joseph Corbe, Robert Johnson, William Puncheon, Alois C. Schant, said witnesses were duly qualified and examined at the time and place stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers were taken down truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made therein, and particularly set forth on pages 164, 165, 166, 167 and 168, were made by me in the lines and pages therein noted, before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and seal this 29th day of March, A. D. 1879.

GEO. ED. WEIS,
Associate Judge.

Erasures and interlineations referred to in certificate.

- On page 4. The words "Yes, sir," in 14th line erased.
- On page 5. The word "since" in 17th line erased.
- On page 6. The words "counsel for contestee offers" in 27th line erased.
- On page 8. The words "one of the inspectors swore me" in 14th line interlined.
- On page 8. The words "Elk Co., Pa." in 22d line interlined.
- On page 8. The word "hour" in 26th line erased.
- On page 10. The words "did you have any" in 12th line erased.
- On page 11. The words "where voters were challenged" in 17th line erased.
- On page 11. The words "body of the" in 17th line interlined.
- On page 12. The word "know" in 1st line interlined.
- On page 12. The word "say" in 8th line interlined.
- On page 12. The words "in the school-house" in 9th line interlined.
- On page 13. The word "you know" in 5th line erased.
- On page 16. The word "you" erased and the words "the board" interlined in 10th line.
- On page 16. The words "who went" in 21st line erased.
- On page 18. The word "you" in 21st line erased.
- On page 19. The words "cross-examined by C. H. McCauley" in 1st line erased.
- On page 20. The words "No, sir," in 20th line erased.
- On page 25. The words "Tell Mr. Kaul" in 14th line erased.
- On page 25. The words "Kaul" and "Mr. Eldridge" 21st line erased.
- On page 25. The answer is written between the 14th and 15th line.
- On page 27. The words "Fred. S." in 6th line erased.
- On page 27. The words "from my uncle, Andrew Dippold," in 7th line interlined.
- On page 28. The word "say" in 20th line interlined.
- On page 29. The words "weeks" in 22d line and the word office in 29th line interlined.
- On page 30. The words "A. M." in 24th line interlined.
- On page 34. The words "where I lived" in 24th line interlined.
- On page 40. The words "took them inside" in 15th line erased.

On page 43. The words "at interest" in 20th line interlined.

On page 44. The words "did you" in 12th line erased and the word "You" in 24th line erased.

On page 45. The words "or either the 15" in 16th line erased.

On page 46. The figures "1878" in 1st line interlined, and the word "Fox" in 22d line erased.

On page 47. The word "with" in 1st line and the word "only" in 3d line erased.

On page 50. The words "come in my family" in 7th line and the word "until" in 8th line interlined, and the word "when" in 8th line erased, and the words "was my home" in 18th line interlined.

On page 52. The word "county" in 18th line and "here" in 28th line erased.

On page 53. The word "long" in 23d line interlined.

On page 54. The words "I have been" in 7th line erased.

On page 55. The word "Geen" in 23d line erased.

On page 56. The word "sworn" in 5th line erased.

On page 61. The word "General" in 18th line interlined.

On page 62. The words "Was it not Seth A. Y." in 15th line erased.

On page 63. The words "ed" and "that" in 15th line erased.

On page 64. The words "or elsewhere" in 5th line erased.

On page 65. The word "incompe" in 5th line erased and the words "was it" in 12th line interlined.

On page 66. The words "nobody ask" in 11th line erased.

On page 67. The word "dated" in 3d line erased and the words "to Jno." in 26th line also erased.

On page 69. The word "the" in 18th line interlined.

On page 71. The word "prof" in 2nd line erased.

On page 72. The word "char" 14th line erased.

On page 76. The words "or" erased and "others" and "than" in 19th line interlined.

On page 78. The words "I told him I did not want to vote" in 4th line erased and the words "For Yocum" in 5th line and the words "I got a ticket from" in 10th line also erased.

On page 79. The word "day" in 1st line interlined.

On page 80. The words "make" in 12th line, "with" in 13th line, and "you" in 27th line erased, and the words "put" and "told" in 29th line interlined.

On page 85. The words "a political" in 19th line erased.

On page 86. The word "Did" in 7th line erased.

On page 89. The word "right" in 12th line and "reside" in 26th line erased.

On page 90. The word "tax" in 17th line interlined.

On page 92. The word "move" in 4th line interlined and the word "th" in the 25th line erased.

On page 100. The word "Answer" interlined on 25th line.

Note. On page 100. The question and answer on the same 25th line.

On page 105. The word "at" in 18th line erased.

On page 108. The words "they were" in 5th line and "refused" in 17th line erased.

On page 109. The words "except when he voted" in 20th line erased.

On page 114. The words "To F. Werneth" in 22nd line erased.

Note. On page 114. The question and answer on the same 27th line.

On page 117. The words "next" in 6th line, "con" in 7th line, and "go" in 13th line erased.

On page 119. The words "you could I" in the 20th line and "I paid the 40 cents on account of my" in 27th and 28th lines erased.

On page 120. The word "was" in 20th line interlined.

On page 121. The word "was" in 29th line erased.

On page 122. The word "much" in 18th line interlined.

On page 124. The word "this receipt" in 5th line erased.

On page 125. The words "since ele" in 12th line, "it" in 16th line, erased, and the words "at any time" in 12th line interlined.

On page 127. The words "T. Warmth" in 7th line erased.

On page 129. The words "name of the" in 15th line, "the best of" in 21st line interlined, and "ticket" in 25th line erased.

On page 134. The word "bill" in 13th line interlined.

On page 135. The word "for" in 29th line interlined.

On page 136. The words "I might have delivered some" in 11th line erased.

On page 137. The words "it is" in 1st line, "to" in 2d line interlined.

On page 138. The words "he delivered" in 6th line erased.

On page 143. The words "I guess was" in 2d line, "who" in 17th line, and "I don't know any of" in 26th and 27th lines erased.

On page 144. The words "every year" in 4th line and "colle" in 27th line erased.

On page 145. The words "you did" in 6th line erased.

Note. On page 147. The question and answer on same 2d line.

On page 148. The word "Yes" in 29th line erased.

On page 149. The words "the name of the" in 18th line erased.

On page 150. The figures "1878" in 26th line interlined.

On page 151. The word "months" in 28th line erased.

On page 152. The words "for said office" in 6th line interlined.

On page 155. The words "to his voting" in 19th line erased.

On page 159. The word "you" in 10th line interlined and "of" in 24th line erased.

On page 160. The words "that this" in 32d line, and "notified" in 26th line erased, and "commanded" in 26th line interlined.

On page 162. The word "whether" in 7th line erased and "service" interlined.

Attest:

GEO. ED. WEIS,
Commissioner and Associate Judge.

Depositions of witnesses produced, sworn, and examined at the Brandy Camp Hotel, in the township of Horton, and county of Elk, and State of Pennsylvania, before me, H. M. Powers, a notary public in and for said county and State, on the 4th day of March, A. D. 1879, and on the 5th, 6th, 7th, and 8th days of March, A. D. 1879, in a certain contest now pending in the House of Representatives of the Forty-sixth Congress of the United States of America, concerning the position of Representative for the twentieth Congressional district of the State of Pennsylvania, wherein Andrew G. Curtin is contestant and Seth H. Yocum is contestee.

George R. Rathbun and W. W. Ames, for contestee, and C. H. McCauley and George R. Dixon, for contestant, present.

H. HORTON sworn and examined :

Question. What is your name?—Answer. Hezekiah Horton.

Q. Where do you live?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I have lived in this county all my life, and in Horton election district ever since it has been an election district.

Q. What is your age?—A. I am fifty-five years of age.

Q. To what political party do you belong?—A. To the Democratic party.

Q. How long have you been affiliated with that party?—A. Ever since I commenced voting.

Q. Were you present at the general election held in Horton Township on the 5th day of November, A. D. 1878?—A. I was.

Q. Were you a member of the election board?—A. I was.

Q. What position did you hold upon the board?—A. Judge.

Q. Who were the inspectors?—A. Daniel Phalen and T. J. Taylor.

Q. Who were the clerks?—A. De Witt Alden and Charles Chamberlain.

Q. To what political party does Daniel Phalen belong?—A. I believe he belongs to the Democratic party.

Q. To what political party does T. J. Taylor belong?—A. To the National or Greenback party.

Q. Did you at that election vote for any person for member of Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote?—A. Andrew G. Curtin.

Q. In what building are the elections in Horton election district held?—A. At what is called the Hellen school-house; the old school-house.

Q. Where is this school-house situate?—A. About a quarter of a mile or little more from the old Oyster place.

Q. How far from this school-house is the nearest building or dwelling?—A. About 30 or 40 rods, I should judge; 40 rods probably.

Q. Were you present at that election during all the time the board were receiving and counting the votes from the time the polls opened until the result was finally declared?—A. I was.

Q. Were there any persons other than the board who had access to the ballot-boxes, or who received and handled the tickets?—A. No, sir; there was not.

Q. Were there any persons other than the board in the school-house during the time the election was going on and the vote being counted?—A. Yes, there was.

Q. Were there more persons there in the school-house during that election than usual at elections held at that place?

(Counsel for contestant object to the last question as incompetent and irrelevant.)

A. I think not; not any more than is usual at general elections.

Q. Was there any disturbance in or around the school-house that in any way interfered with the board in the performance of their duties?—A. There was not.

Q. Can you tell how the whole number of votes polled compared with the whole number of votes in the district?

(Objected to by counsel for contestant, as incompetent and irrelevant, the returns from the several election districts being the best evidence.)

A. I cannot tell exactly. I think there were some few voters who were not in. There might have been three or four, but I think not more than two.

Q. Were all the votes that were offered, and that you considered legal, received?—A. They were.

Q. Was there any amount of boisterous conduct and angry talk in the school-house that day?—A. I did not hear any myself.

Q. How large is that school-house?—A. About 26 by 36 feet, I think.

Q. Was the ballot-box at any time during the day left unguarded?—A. It was not.

Q. Was the board or any member of it absent for any length of time while ballots were being received?—A. There was not, not to exceed five minutes.

Q. Were any ballots received while members of the board was out?—A. There was not.

Q. Did you see Herbert Burchfield there that day?—A. I did.

Q. What was he doing?—A. I don't know really what he was doing; he had a paper or slip of something, and I supposed he was taking down the men's names who were voting, but I did not pay any attention to him. He was standing back from the board six or eight feet; he was not there all the time, sometimes he was in one place and sometimes in another. I think in the afternoon he did not have that paper. He was not there all the time, at least I did not notice him.

Q. Did Mr. Burchfield interfere or meddle with the tickets or the board in the performance of their duties?—A. He did not.

Q. Who received the tickets at the window?—A. T. J. Taylor.

Q. Do you know Walter Rudolph?—A. I do know him.

Q. Was he present there during any part of the day?—A. He was.

Q. Did he interfere with the board in the performance of their duties?—A. He did not.

Q. When voters were challenged were they properly sworn or qualified in case the challenge was not withdrawn?—A. They were. We intended to have it properly done; if it was not it was through ignorance.

Cross-examined by C. H. McCAULEY, counsel for contestant:

Q. When were you elected judge of Horton election district, and for how long?—A. I was elected in February, 1878, for one term. I suppose for one year.

Q. Did you serve as judge of Horton election district at February election, 1879?

(Objected to by counsel for contestee as irrelevant.)

A. I did not.

Q. Why?—A. For the reason that I had a suit in the Jefferson County court and I had to be there.

Q. Was it not because of the difficulty you experienced at the election held in Horton Township November 5, 1878, to a certain extent?—A. It was not.

Q. Did you not tell certain parties in the district that you would not serve on the election board as judge on account of the difficulties you experienced at the election of November 5, 1878?—A. I did not. I said this, if they ever elected me again judge of election and Dan. Phalen was on the board, I would not serve.

Q. Have you not some feeling against Mr. Phalen?—A. I have not. Mr. Phalen and I have always been on good terms, for anything that I know.

Q. To whom did you tell that you would not serve as judge if Mr. Phalen was on the board?—A. I do not recollect; I might have told it to two or three.

Q. Before February election last, did you not say that you would not serve as judge at any election hereafter?—A. I think not. I don't recollect of ever making that remark.

Q. What relation are you to W. H. Horton ?

(Objected to by counsel for contestee as irrelevant and not cross-examination.)

A. He is my son.

Q. Was he a candidate for office at November election, 1878 ; if so, for what office and upon what ticket ?—A. He was running for assembly on the National or Greenback ticket.

Q. Who were the clerks of the election board November 5, 1878, and to what political party did they belong ?—A. De Witt Alden and Charles Chamberlain were clerks. De Witt Alden belonged to the National or Greenback party, and Charles Chamberlain to the Republican party.

Q. What relation is Charles Chamberlain to you ?—A. He is my wife's nephew.

Q. Were you out of the election-house during the election November 5, 1878 ; if so, how many times ?—A. I was out once that I recollect of, and that was the only time. My little girl brought my dinner, and I met her between the school-house and the road and got it.

Q. Are you positive that you were not out of the election-house at any other time during the election and the counting of the votes than the one above referred to ?—A. I have no recollection of being out ; I might have been, but I know I was not off of the door-steps more than the one time during the day.

Q. Then you might have been out on the door-steps ?—A. I might have been out, but I think not.

Q. Do you swear positively that no votes were cast while you were out of the election-house, November 5, 1878 ?—A. I do.

Q. Do you swear positively that no votes were cast November 5, 1878, while you were on the steps in front of the election-house ?—A. I do. If there was, I have no knowledge of it.

Q. Could they not have received votes while you were out ?—A. They could, I suppose, if they had a mind to do so ; but we never received a vote without the full board was present.

Q. Then you do swear that no votes were received except when you were present ?—A. I do. If they did it was done very slyly, for I was not out at any time to exceed two minutes.

Q. How far was it from where the election board was to the road ?—A. It isn't over sixty feet.

Q. Did you have any conversation with your little girl ?—A. I did.

Q. Was any other member of the election board out of the house during the election and counting of the votes cast in Horton Township, November 5, 1878 ?—A. They might have been, but I couldn't swear to it.

Q. Was not Mr. Taylor out of the house during the election ?—A. I couldn't say. He might have been, but I couldn't say that he was or was not.

Q. Was not Mr. Phalen out during the election ?—A. He might have been ; but I could not say whether he was or was not.

Q. Were not the clerks, or either of them, out of the election-house during the election or count of the votes cast in Horton Township, November 5, 1878 ?—A. They might have been.

Q. Did you not receive ballots while Mr. Taylor, one of the inspectors, was out of the election-house ?—A. We did not.

Q. Did you not receive ballots while Mr. Phalen was out of the election-house on that day ?—A. We did not.

Q. Was there any person in the election house during the day and

counting of the votes in the evening other than the election board ; if so, how many?—A. There was. I couldn't tell how many.

Q. About how many did you see there at one time?—A. About twenty or twenty-five might have been there at one time. The voters usually sit back in the back end of the school-house and make up their tickets.

Q. Was there not a crowd in and around the board several times during the day?—A. Yes. They were in the house at different times during the day and around the board, or within perhaps six feet of the board.

Q. Was there not a continual running in and out of the house during the election or counting of the votes?—A. Yes. The doors were open and they came in and went out just as they pleased.

Q. Do you swear positively that there were no persons other than the board nearer than six feet to the board and to the ballot-box during the day and the counting of the votes in the evening?—A. I do not.

Q. Did not Herbert Burchfield sit at the table beside the clerks and have the ballot-box immediately in front of him at any time during that day?—A. Not that I recollect of. I recollect that at one time when we were counting a vote came out for Herbert Burchfield ; he set down by the side of the clerk to try to find out who had put it in, and I told them to not let him know.

Q. Did he not sit at the table around which the board was sitting at any time during the day?—A. I don't recollect of his sitting at the table. The seats in the school-house came right up behind where the clerks sat, and I saw him sitting on these seats behind the clerks.

Q. How close was he sitting to the clerks?—A. These seats probably came within two feet of the bench upon which the clerks sat.

Q. Did you see Mr. Burchfield during that day bending over the ballot box?—A. I did not.

Q. Could he have been bending over that box and you not have seen him?—A. I think not. Not unless it was while I was out of doors when I went to get my dinner.

Q. Then you swear positively that he did not lean or bend over the ballot box during the election or counting of the votes cast November 5, 1878, unless he did it while you were out of the house?—A. I swear positively that I did not see him bend over it.

Q. Do you swear positively that you would have seen him if he had leaned over it?—A. I think I would.

Q. Could anybody have leaned over that box or been close to it and you not see them?—A. Not while we were receiving votes. At times we were not receiving votes—people not voting ; at such a time they might have leaned over it and I not have seen them.

Q. Did you see Walter Rudolph sitting at the table upon which the ballot-box was placed at any time during the day or the counting of the votes cast November 5, 1878, in Horton Township?—A. I saw him sitting on the seats back of the clerks. I did not see him sitting at the table with the clerks.

Q. Did you see either Rudolph or Burchfield near the window through which the votes were polled at any time through the day?—A. I did, inside of the house ; I saw Rudolph there ; I think he was standing ; he might have been there different times ; think he was. He was by the side of the window on the inside, probably within two feet of the window, back of the clerk's seat, and up against the wall.

Q. Was he there any considerable length of time?—A. I could not say

how long; he was not there all the time—not there steady; part of the time he was back by the stove.

Q. What was he doing?—A. I could not say.

Q. Did he not keep a tally or list of the voters?—A. I don't know about that.

Q. Didn't he write or use a pen or pencil a part of the time?—A. I think he did, but am not positive about it; he did not use a pen, or did not come near the board with a pen.

Q. Did you see Warren H. Horton, the Greenback candidate for assembly, in the election-house near the board at any time during the election or the counting of the votes cast in Horton Township November 5, 1878?

(Objected to by counsel for contestee as irrelevant and not cross-examination.)

A. He was in the house a part of the time during the election and counting of the votes.

Q. Did you hear any loud talking at any time during the day or evening?—A. I did not hear any louder talking than is usual talking back and forth in a crowd of that size.

Q. Wasn't it a fact that there was considerable noise in the election house several times during the day?—A. There was not, only talking backward and forwards, as I have stated before.

Q. Did not some of the voters talk very loud when challenges had been made and the board were considering the voter's right to vote?—A. The loudest talk I heard was John McAllister, when his vote was challenged.

Q. Was he challenged?—A. He was.

Q. Were all the votes presented at the window during the day received?—A. I cannot say positively as to that.

Q. What is your impression?—A. I could not say that they were or were not, but my impression is that they were, but it was our intention not to receive any illegal votes.

Q. Where did you sit while on the board with reference to the ballot-box?—A. I sat at the table with the ballot-box in front of me.

Q. Where did Mr. Phalen sit?—A. He sat at my right hand.

Q. Where was Mr. T. J. Tayler?—A. He sat at the right hand of Mr. Phalen, on the same bench.

Q. Who took the tickets at the window?—A. T. J. Tayler.

Q. What did he do with them?—A. He handed them to Phalen.

Q. What did Phalen do with them?—A. He handed them to me.

Q. What did you do with them?—A. I put them into the box.

Q. Were these tickets numbered; and, if so, by whom?—A. They were numbered, I think, by T. J. Tayler.

Q. Don't you know?—A. Yes; I am positive it was him.

Q. Did not Mr. Phalen put a few tickets into the ballot-box?—A. No, sir.

Q. Are you positive?—A. I did not know that he did anything of that kind, and I am quite positive that he did not. If he did, he did it without my knowing it.

Q. Could he not have put some of the tickets into the box and you not know it?—A. I think not.

Q. Do you swear that you put every one of the tickets voted November 5, 1878, in Horton Township, into the ballot-box?—A. I do.

Q. Did Mr. Phalen have any other duty than the handing of the tickets from T. J. Tayler to you?—A. I believe that was all he had to do.

Q. How many challenges were there made at the election in Horton Township, November 5, 1878?—A. I could not say.

Q. About how many?—A. I do not know; there might have been five or six; maybe not as many.

Q. Were these voters who were challenged sworn?—A. I think they were; those that had no receipts for paying their tax.

Q. Did they subscribe a written or printed or partly written and partly printed affidavit?—A. I am not positive about their subscribing. I think that was an oversight of the board.

Q. Did not Esquire McAllister swear some of the voters?

(Objected to by counsel of contestee as not being cross-examination and part of their case in chief.)

A. I think he did one, in the presence of the board.

Q. Were the votes of any of these voters who were challenged refused?

—A. I think not.

Q. Was it not a fact that there were at least twelve voters challenged?

—A. I cannot say, but I should think not so many.

Q. Who swore in the board at that election?

(Objected to by counsel for contestee as not cross-examination.)

A. George Clinton, a justice of the peace for Horton Township.

Q. Was it not after eight o'clock in the morning of election day when the polls were opened?—A. I don't think it was later than eight o'clock, and it might have been so late.

Q. Might it not have been a few minutes after eight?—A. It might have been, but I think not.

Q. Did you have any sign or placard pasted up at or near the polling window indicating where ballots were to be received?

(Objected to by counsel for contestee as irrelevant, not cross-examination, and, if competent, part of their case in chief.)

A. I think not. We have never had anything of that kind at our election house.

Q. How was the cover to the ballot-box guarded or fastened during the day of election?—A. The cover to the box was a slide running in a groove, covering two or three apartments, and at the end of the slide was a pin pinning the cover down to keep it from sliding.

Q. At which end of the cover was this pin, and was it not so as to be easily drawn out?—A. It was pinned with two pins, one on each end of the slide, going down into the side of the box. The pins could have been drawn out easily, but I think they could not have been drawn out easily without the aid of a knife or some pointed instrument.

Q. Could they not have been withdrawn with a pair of pincers?—A. They might, if they had had good ones.

Q. Could they not have been withdrawn with a pair of bullet moulds?—A. I suppose they could if they could get hold of them.

Q. Didn't they stick up far enough to get hold of them?—A. I think not; I think they were cut off even with the lid, but am not positive.

Q. Was there any holes in this cover?—A. There was.

Q. Was there any cover over these holes?—A. There was not.

Q. Did you see Warren Mosier in the house?

(Objected to by counsel for contestee as not cross-examination and irrelevant.)

A. I don't know that I saw him in the house; I saw him put his vote in at the window.

Q. When a voter was challenged, what did he do?—A. They came inside of the house, to the board.

Q. Were there any parties with him and about the board other than

the election board when the voter was being interrogated as to his right to vote?—A. There were other parties in the room, standing around as they always have done.

Q. Was there any proclamation made of the opening of the polls? If so, by whom?—A. There was no proclamation made at the window. I simply stood by the table and said that we were ready to receive their votes.

Q. Did you hear any complaint about the loud talking and noise made around the polls either in or out of the house?—A. I did not.

Q. Did you see James McClellan and Jacob Fields and Nathan Hipple, or either of them, at the election house that day?—A. I saw Jacob Fields there, but am not positive that I saw Nathan Hipple or James McClellan.

Q. Didn't you hear Warren H. Horton request Esquire McAllister to assist in quelling the noise and disturbance about the polls at any time during the day?—A. I did not; I do not recollect of hearing any such conversation.

Q. Did you not hear Warren H. Horton talk loud or threaten Mr. Phalen, one of the inspectors, at any time during the day?

(Objected to by counsel for contestee as not cross-examination and incompetent; if any such occurrence took place, it is a part of their case in chief.)

A. I heard them have some words; it was regarding some voter that had a tax receipt; Phalen objected to it, and Warren told him that he had a receipt and if he didn't let him vote he would show him hereafter whether he was a voter or not, or something to that effect.

Q. Didn't he say that he would see him for it hereafter?—A. I don't know whether these were the words or not; I am not positive about it.

Q. Did not a number of voters argue the qualifications of the voters challenged with the board at several times?—A. There was always some one in the house standing back by the stove and on the seats, but did not argue with the board.

Q. Do you swear that the voters did not argue the right of any voters to vote at that election at any time during the day with the board?—A. They didn't argue with the board; there would some of them make the remark that they knew them to be voters.

Q. Didn't Nathan Hipple tell the board that they had better permit certain vote or votes to be cast?—A. I have no recollection of anything of that kind.

Redirect:

Q. Was Daniel Phalen in the house at the time you was out?—A. I cannot say positive whether he was or not.

Q. How long were you occupied in your conversation with your daughter when she brought your dinner?—A. I don't recollect exactly, but don't think it would exceed two minutes from the time I left the house until I was back.

Q. Were all the political parties represented among the people who were in the school-house?—A. they were.

Q. Was it as free for one to come in as another?—A. It was.

Q. Who kept the registry list and checked off the voters?—A. Phalen.

Q. To what political party does Esquire McAllister belong?—A. To the Democratic party.

Q. How came Mr. McAllister to swear a voter?—A. He was standing there and we requested him to do it.

Q. How came George W. Clinton to swear the board?—A. The board requested him to do it.

Q. Were they all present?—A. They were.

Q. You stated in your cross-examination, that you had said that you would not act as judge upon an election board of which Daniel Phalen was a member. What was your reason for making that statement?

(Objected to by counsel for contestant, as incompetent and irrelevant.)

A. For the reason that he was so inconsistent.

Q. In what was he inconsistent?—A. In regard to voters. He made us a great deal of trouble. In regard to the voting there was one man in particular, Thomas Dallinger. He was a single man and worked in the blacksmith shop for Short and Horton for over a year. Phalen had got work done in the shop for a year previous to the election, and ought to have known that he was a voter.

Q. Upon what ground did he challenge Dallinger?—A. Upon the ground of his not being a resident.

Q. Was the conduct of Phalen while upon the board that of a bitter partisan?

(Objected to by counsel for contestant, as incompetent and irrelevant.)

A. I don't know that he had any bitter feeling toward the other party, but he is a very stiff party man, and is a Democrat.

Q. Did he not show by his actions and words that he had a strong party feeling?

(Objected to by counsel for contestant, as incompetent and irrelevant, and the counsel for the contestee putting the words in the witness' mouth.)

A. Yes; he did.

Recross-examined:

Q. Did Mr. Phalen not tell the board that all he wanted was a fair election?—A. I think he did.

Q. Do you know Mr. Dallinger?—A. I do.

Q. Who are Short and Horton?—A. Alfred Short and Warren H. Horton.

Q. Was this Warren H. Horton, of Short & Horton, the Greenback candidate for assembly?—A. He was.

Q. Is not Mr. Dallinger a Democrat?—A. I think he is, but am not positive of that. Most of those Germans are.

Q. Did not Mr. Phalen challenge him simply on the ground of residence?—A. Yes; I think that was the ground of the challenge.

Q. Wasn't that all the trouble that Mr. Phalen made you, simply the challenging of voters?—A. Yes; that was about all the trouble he made us, but would challenge votes that I thought he ought to know were voters.

Q. Do you swear that he knew the votes challenged by him were legal, and that he made the challenges for the purpose of hindering and delaying the board in their duties?—A. No, I do not swear positively to that; that is a matter that I could not swear positively to.

Q. How long has Mr. Phalen lived in this election district?—A. I cannot say exactly; ten or twelve years, perhaps longer.

Q. Is he not an honest and upright man?—A. He is, so far as I know.

Q. Was Mr. Dallinger sworn?—A. I think not.

Q. Who did Mr. McAllister swear?—A. I cannot tell, unless it was John George; I am not positive who it was.

Q. Did you see James Maloy in the election house that day?

(Objected to by counsel for contestee as irrelevant and not cross-ex-

amination, the name of Maloy not having been used or inquired into in the examination of the witness before.)

A. I think I did see him in the election house.

Q. Did you not hear James Maloy argue with the board as to the qualification or right to vote of a man named Groves?—A. I cannot recollect, but I think there was some talk about a man by the name of Groves, who worked at Keystone, by Maloy.

Q. Did he not tell the board to receive Groves's vote?—A. I have no recollection of it.

Q. Was there not considerable talk about the legality of Arnold Groves's vote?—A. I think there was some talk about it, but I don't recollect just what.

Q. Was there not quite a number of persons other than the board in the house and around the election board at the time of this talk between Maloy and others and the board?—A. There was.

Q. Was Richard Hines challenged at Horton election polls November 5, 1878?

(Objected to by counsel for contestee as irrelevant and not cross-examination, the name of Richard Hines not having been mentioned by the witness or to him either in his examination-in-chief, cross-examination, or redirect. The counsel for the contestee further protest against the course of the counsel in their examination of the witness, and to the recording of testimony which is not cross-examination of the witness as to any matters he may have sworn to in his examination-in-chief or upon his redirect examination, such matters being such as should have formed a part of the contestant's case in chief.

By the counsel for the contestant: The counsel for the contestee having examined the witness on the stand as to the conduct of the election officers, and the irregularities as to challenges and casting of votes polled in Horton Township November 5, 1878, the counsel for the contestant now proposes to cross-examine the witness fully as to all challenges and conversation and qualification of each and every vote offered at said election, and thereby obtain the truth and the whole truth.)

A. I think he was.

Q. Was he sworn?—A. I am not certain about that. I think the board concluded he was a voter and let him vote and did not swear him.

Q. Was there not quite a number of persons other than the election board in the house and about the polling window at the time that Hines was challenged?—A. I think there was quite a number in the house. I don't know that there were many about the window.

Q. Was there not considerable talk about the right of Mr. Hines to vote on the ground of residence?—A. I think there was some talk.

Q. Did not George Ready vote in Horton election district November 5, 1878?—A. He did vote.

Q. Was he challenged?—A. Not that I recollect of. I think not.

Q. Did Henry Yale vote at Horton election district November 5, 1878?—A. I don't recollect whether he did or did not.

Q. What is your impression?—A. I have no impression about it. I don't recollect of seeing him there.

Q. Was he in the house and sworn?—A. I don't recollect.

Q. Did George W. Gardner vote in Horton election district November 5, 1878?—A. He did.

Q. Was he challenged?—A. He was, I believe.

Q. Did he subscribe an affidavit?—A. I don't know, but don't think he did.

Q. Did any other party than Daniel Phalen have the registry of votes at any time during the election day?—A. Not that I know of.

Q. Did not Nathan Hipple or Herbert Burchfield have the registry of voters?—A. I don't know of them having it.

Q. Did you not see Herbert Burchfield looking at the votes as they came through the window and were being passed through the hands of the inspectors?—A. I do not recollect of his looking at them any more than what he could see by standing back of the board. He did not look at them any more than others did.

Q. At the time of the counting of the votes, was the cover to the ballot-box totally removed?—A. It was not; at least I think it was not.

Q. How was it?—A. It was shoved just far enough so that we could get at one apartment.

Q. Were the apartments into which the tickets were placed that day, crosswise or lengthways of the box?—A. I am not positive about that, but I think they were crosswise, and that the slide run over three apartments.

Q. Who took the tickets out of the box?—A. T. J. Tayler.

Q. What did he do with them?—A. He handed them to Phalen.

Q. What did he do with them?—A. He read off the names of each candidate, and then handed them to me.

Q. What did you do with them?—A. I strung them onto a string.

Q. What did you do with them after you had strung them?—A. We kept them there in our possession until we had the papers made out, and then we put them into the ballot box.

Q. Did you seal up the ballot-box after you had put the tickets on the string into the box?—A. We did.

Q. Did you put the tickets all in one apartment?—A. We did. They were all on one string, and we couldn't very well get them into two apartments.

Q. Were there any more apartments in this box than the three you have testified to?—A. There were.

Q. Was there not a separate cover for each three apartments?—A. I think there is.

Q. Did you paste or seal anything over the holes of the apartments in which you put the ballots after they were on the string?—A. I think not. We put a string or tape round the box and sealed it fast.

Q. What did you do with the ballot-box after it was sealed?—A. I took it home with me that night, and a day or two after I took it down and delivered it to Esquire Clinton, at his office.

Q. Did you not request the crowd in the election house on election day to cease their noise in the presence of Jacob Fields, McAllister, and others?—A. I don't recollect positively whether I did or not. If there had been much noise there I should probably have done so, but I don't recollect now whether I did or not; I might, and I might not.

Q. When the board were not receiving votes were they at any time around through the house among the crowd?—A. They would, some of them, occasionally be away from the board.

Q. Did you not see Mr. John Brown or Mr. Jos. Chamberlain have the registry list during the day?—A. I did not; they might have had it, but I did not see them have it. Phalen was the man who had charge of it, and he ought to know.

(The counsel for the contestee objects to all the foregoing recross-examination as not being proper examination.)

H. HORTON.

H. B. SHONS sworn and examined.

Question. What is your name?—Answer. H. B. Shons.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County.

Q. How long have you lived in Horton Township?—A. About six years.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote at the general election held in Horton Township on the 5th day of November, 1878, for member of Congress for the twentieth Congressional district of the State of Pennsylvania?—A. I did.

Q. For whom did you vote for such member of Congress for said district?—A. Seth Y. Yocum.

Q. Do you mean that you voted for the regular candidate on your party ticket?—A. Yes, sir; I suppose I did.

Q. To what party did you belong?—A. The Greenback party.

Q. Was the name of that candidate Seth Y. Yocum or Seth H. Yocum?—A. I had it in my head that it was Seth Y. Yocum, but probably it was Seth H. Yocum.

(Counsel for contestant objected to all testimony of the witness on the stand as to whom he voted for for Congress, as incompetent, the ballot being the best evidence, and there being no proof that it has been lost or destroyed.)

Q. From whom did you receive your ticket?—A. I think from Herbert Burchfield.

Q. To what party did he belong?—A. To the Greenback party.

Cross-examined by C. H. McCAULY, Esq., counsel for contestant:

Q. To whom did you pay tax?—A. Thomas Burchfield.

Q. When?—A. It was sometime last summer. I don't know exactly when it was.

Q. Where?—A. I think in Short & Horton's store.

Q. How did you pay it?—A. I paid him the money.

Q. Did you take a receipt at the time you paid it?—A. I think it was at the same time that I paid it.

Q. Was there anybody present?—A. I think there was. The clerks in the store were there.

Q. Are you positive it was one full month before November 5, 1878?—A. Yes, sir.

Q. Did you examine your ticket before you voted it?—A. I don't think I did. I was in a hurry to go to Centreville and put my ticket in as soon as the polls were opened.

H. B. SHONS.

The further taking of testimony adjourned until Wednesday, March 5, 1879, by consent of counsel for contestant and contestee.

BRANDY CAMP HOTEL,
Horton Township, March 5, 1879.

WARREN H. HORTON sworn and examined.

Question. What is your name?—Answer. Warren H. Horton.

Q. Where do you reside?—A. Brockport, Horton Township, Elk County.

Q. How long have you lived in Horton Township?—A. I have lived in this country, now Horton Township, about twenty-seven years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. How old are you?—A. Twenty-seven years past.

Q. Have you paid a State or county tax within two years that was assessed two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878?—A. Yes, sir.

Q. For whom did you vote?—A. For Seth H. Yocum.

(Counsel for contestant objects to all evidence as to whom the witness on the stand voted for for Congress for the twentieth Congressional district of Pennsylvania as incompetent, there being no evidence that the ballot has been lost or destroyed, and the ballot itself being the best evidence.)

Q. Were you present at the election held in Horton district on the 5th day of November, 1878?—A. I was.

Q. How long were you there?—A. The greater part of the day.

Q. Were there many persons in and about the polling place that day?

A. About as many as are usually there at our general elections.

Q. Was there any disturbance, boisterous conduct, or loud talking that interfered with the polling of the vote?—A. There was no boisterous conduct or anything of that kind, but I think that Daniel Phalen tried to keep back votes by objecting to men voting who were legal voters.

Q. What position did Daniel Phalen occupy, if any?—A. He was inspector of election.

Q. Did you have any conversation with Mr. Phalen that day?—A. Very little, but don't remember what it was.

Q. Did you do any writing in the school-house where the election was held that day; and, if so, what was it?—A. I did. I wrote one or more orders for my men.

Q. Who were those orders on and what for?

(Counsel for contestant objects to the question as incompetent and irrelevant.)

A. The orders were on one of the two clerks at the store, I don't remember which clerk, and was for scrip or store trade.

Cross-examined by C. H. McCAULY, Esq., counsel for contestant:

Q. When did you pay State and county tax?—A. I paid it when the collector asked me for it, which was thirty days or more certainly before the 5th day of November, 1878, and which was within two years.

Q. What time in the year did you pay it, and what year?—A. In 1878; I don't know what time.

Q. Where?—A. At the Brockport store.

Q. To whom?—A. To the collector of State and county tax.

Q. Who was the collector?—A. I think Thomas Burchfield was collector in 1878; and, if so, I paid to him.

Q. Have you a distinct recollection of paying Burchfield a State and county tax?—A. I have a distinct recollection of paying a State and county tax, but do not know whether I paid it to Burchfield or Clinton.

Q. When was that tax assessed?—A. It was assessed at least 60 days previous to election.

Q. Upon what property was this tax assessed?—A. Upon property owned by Short & Horton at Brockport, and on me for occupation.

Q. Where was this assessment made?—A. In Horton Township.

Q. At whose house?—A. I don't know, but I presume at the Brockport store.

Q. Have you a distinct recollection of the assessor coming to you and assessing this property? If so, who was the assessor?—A. The last assessor was Walter Rudolph, but I think George W. Clinton made the assessment for 1878. I am positive that George W. Clinton came to me and made the assessment for 1878.

Q. Was the tax you have testified to as having been paid by you based upon the assessment made by Mr. Clinton?—A. One of the taxes was.

Q. Did you pay any other tax or taxes during the years of 1877 or 1878 other than your own; if so, for whom?

(Objected to by counsel for contestee as not being cross-examination, and being part of their case in chief.)

A. I did. I paid some of them for men who were working for me, and for men who do work for us at different times during the year.

Q. Give their names.—A. In order to do that I would have to produce a list which I think I have at home.

Q. About how many?—A. I don't remember.

Q. Were there fifty?—A. No.

Q. Were there twenty-five?—A. I don't think there was.

Q. Were there over fifteen?—A. There might be, but I am not certain.

Q. Did you pay taxes for any parties during the years 1877 and 1878 other than yourself and the men who worked for you?—A. I don't think I did. I think that all the men for whom I paid taxes, with one exception, worked for me at some time during the two years. That exception was Philip Rhodes.

Q. Did you take receipts for each and every one of these taxes paid by you?—A. Not for all of them.

Q. Did every one of these parties pay you the amount of tax within two years, and at least one month prior to November 5, 1878?—A. No, sir; not all of them.

Q. Have you any of the receipts taken from the tax paid for these parties in your custody or charge?—A. I did have, but don't know whether I have any left or not.

Q. Did you not have a number of these receipts on or about November 5, 1878?—A. Yes.

Q. When and where, and to whom, did you pay these several taxes?—A. For the year 1878 I paid them to Thomas Burchfield, at the Brockport store.

Q. How much money did you pay Mr. Burchfield on account of taxes other than your own?—A. I don't know.

Q. About how many dollars?—A. I don't know, but I have a set of books that would probably give some light on the subject.

Q. Did you pay twenty-five dollars?—A. No.

Q. Did you pay fifteen dollars?—A. I don't know.

Q. Were the taxes you paid large or small amounts?—A. Small amounts.

Q. When did you pay these taxes to Burchfield?—A. I don't know the day or date.

Q. Was it at least one month prior to November 5, 1878?—A. Yes.

Q. Did any of these parties vote at November election, 1878, for whom you paid tax?—A. Yes.

Q. What time did you go to the election house on November 5, 1878?—A. In the morning; probably seven or eight o'clock.

Q. What time did you leave the election-house on that day?—A. I went home for dinner, I think.

Q. Did you go back in the afternoon?—A. Yes; I went back right away after dinner.

Q. At what time did you leave the election-house in the evening?—A. I think about six o'clock.

Q. Were the votes all polled when you left?—A. No.

Q. How many were polled when you left?—A. I don't remember.

Q. About how many?—A. Very nearly all of them.

Q. Were you in the election-house during the day?—A. Part of the time.

Q. Were there any persons in there other than the board? If so, how many?—A. Yes and during the day the greater part of the voters in Horton Township.

Q. Were there not as high as twenty-five to forty men in there at one time?—A. At different times I think there was as high as twenty-five.

Q. Was there not loud talking there in the house at several times during the day?—A. Not any that I heard.

Q. Was there not loud talking there at one time in particular?—A. There was no loud talking there that I know of.

Q. Did you see James McClellan there during the day?—A. Yes.

Q. Whereabouts?—A. In the house.

Q. Did you see John C. McAllister there during the day?—A. Yes.

Q. Where?—A. In the election-house.

Q. Was he challenged?—A. I think he was.

Q. Do you know who challenged him?—A. No.

Q. Was there not considerable talk in the house and around the board as to Mr. McAllister's right to vote?—A. I think there was.

Q. Did you not argue and tell the board that he had no right to vote?—A. I don't remember whether I did or not.

Q. Did you not tell the board that he must have paid a State or county tax which was assessed within two years?—A. I don't remember what I told the board.

Q. Didn't you talk with the board about his right to vote?—A. I think I did, but I am not positive whether I did or not.

Q. Was there not some excitement there during the talk about McAllister's vote?—A. I don't remember of seeing anybody there excited.

Q. Were you not excited?—A. Not to my knowledge.

Q. Did you say before Mr. McAllister voted that he had no right to vote?—A. I think I made the remark a number of times previous to election.

Q. Was it not on account of the tax not being assessed within two years?—A. That was one of the objections.

Q. Was he sworn?—A. I don't know whether he was or not.

Q. Were you at the election-house when Arnold Graves voted?—A. I don't remember, but I think I was.

Q. Did you see James Maloy there?—A. I think I saw him there, but am not certain.

Q. Did he not argue the right or qualification of Arnold Graves' vote before the board?—A. I don't know.

Q. Did you not hear him talking with the board?—A. I don't remember that I heard him.

Q. Where was he when you saw him?—A. I think I saw him in the election-house.

Q. Did you see Warren Mosier in the school-house?—A. I think I did.

Q. Did you not hear him make threats in the school-house?—A. Not that I remember of.

Q. Did he not offer to fight?—A. I did not see anything of it.

Q. Were you present in the house all the time that Mosier was there?—A. I don't know whether I was or not.

Q. Did you hear any loud talking by Mosier?—A. Not that I remember of.

Q. Was he a Greenbacker?—A. He said he was.

Q. Did you see Walter Rudolph there?—A. I think I saw him there.

Q. Whereabouts was he when you saw him?—A. I think I saw him both in and out of the house.

Q. Did you see him at any time during the day or evening near the polling window, inside of the house? If so, what was he doing?—A. I don't remember whether I saw him there or not.

Q. Didn't he sit at the table around which the board sat?—A. I don't know.

Q. Did you see Herbert Burchfield there in the house during the day?—A. Yes; I saw him there.

Q. Was he not sitting at the table beside the clerks and board?—A. I don't remember whether he was or not.

Q. What was he doing?—A. I don't know.

Q. Didn't he have a book in which he registered the votes as cast?—A. I don't know whether he did or not.

Q. Wasn't he there for the purpose of seeing for whom the votes were cast?—A. In my opinion he was not; if he was, I knew nothing of it.

Q. Didn't you have a conversation with him in regard to keeping or having kept a list of the voters who voted that day?—A. I don't remember anything of that kind.

Q. Whereabouts was he when you saw him in the house?—A. He was in different places, walking around and sitting down; but I don't remember of any particular place.

Q. Didn't you see him close to the polling window, inside?—A. I don't know whether I did or not.

Q. What is Herbert Burchfield's business?—A. A laborer.

Q. For whom did he work in 1878?—A. He worked for Short & Horton a part of the time.

Q. Did you see any of the election board out of the house during election day of November 5, 1878; if so, who?—A. T. J. Taylor.

Q. Didn't you see Phalen out?—A. I don't remember of seeing him out.

Q. Did you not tell Daniel Phalen that unless he ceased challenging that you "would see him for it hereafter"?—A. No.

Q. Didn't you make threats of any kind against Mr. Phalen?—A. I don't remember; but I think, if I said anything, I made the remark that the board might be returned, or something to that effect; I did not say this to the board, but it might have been in their hearing.

Q. Did you say anything to Phalen in a threatening manner?—A. Not that I remember of.

Q. Were you a candidate at that election; and, if so, for what office and on what ticket?—A. I was candidate for assembly on the Greenback ticket.

Q. Did you request McAllister to assist in restoring order in the election house?—A. No, sir.

Q. Did you make any complaint to him as to the state of affairs existing there?—A. Not that I remember of.

Q. Didn't you tell him that you wished him to assist and try and bring about a different state of affairs, or words to that effect?—A. No, sir; I did not.

Q. Are you positive?—A. I am.

Q. Have you any feeling against Mr. McAllister?—A. Yes.

Q. Have you any hard feeling against Mr. Daniel Phalen?—A. Yes; I despise both Mr. Phalen and McAllister.

Q. Have you had any difficulty with Mr. Phalen?—A. Yes, sir; personally.

Q. When and where was your personal difficulty with Mr. Phalen?—A. About two years ago, in the Brockport store.

Q. Have you had any difficulty with him subsequent to November 5, 1878?

(Objected to by counsel for contestee as irrelevant.)

A. Yes.

Q. When, where, and what was it?—A. On the morning of February election, before the polls were opened, I met Mr. Phalen and I gave him a piece of my mind, and then went off and left him. The only threats I made were, he called me a liar, and I told him if I ever met him again he would take it back. I called him a liar, and meant it too. The polls are never opened in Horton Township on time.

(The counsel for the contestee objects to all the foregoing cross examination which is not in regard to or concerning matters to which the witness testified on his examination-in-chief, such being their case in chief.)

W. H. HORTON.

N. M. BROCKWAY sworn.

Question. What is your name?—Answer. N. M. Brockway.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Ever since it has been a township.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania, at the general election held in Horton election district on the 5th day of November, 1878; and, if so, for whom?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. I did; I suppose I did, for Seth H. Yocum.

Cross-examined by C. H. McCAULEY, Esq.:

Q. To whom did you pay State or county tax?—A. Mr. Burchfield is one collector to whom I have paid tax.

Q. When?—A. I cannot tell when, but I know I have paid my taxes every year.

Q. Where?—A. At Horton Township.

Q. At whose house?—A. At my house, at the Keystone Mill.

Q. Was there any one present?—A. No one but the collector that I recollect of.

Q. When was that tax assessed?—A. I cannot tell. The taxes have been assessed every year, but I cannot tell just the date; some time in the fall or early part of the winter.

Q. By whom, and where was the assessment made?—A. It was assessed at my place, but by whom I do not recollect. Mr. Rudolph was assessor at one time, and I think Mr. Clinton was.

Q. Upon what property was you assessed?—A. I have been assessed with occupation within two years, and upon cows.

Q. During the years of 1877 and 1878, did you pay any other taxes than your own; if so, whose?

(Objected to by counsel for contestee as not cross-examination, the facts sought to be proved by the question being part of their case in chief.)

A. I don't recollect that I did; no, sir.

Q. Are you a Greenbacker?—A. Yes, sir.

Q. Didn't you take an active part in the canvass of 1878?—A. Yes, sir; I did something in it.

Q. Did you examine your ticket immediately before you voted?—A. No, sir.

Q. Do you swear positively that the name of Seth H. Yocum was on your ticket?—A. I do not.

Redirect:

Q. Did you vote the regular Greenback ticket?—A. I suppose I did.

Q. From whom did you obtain it?—A. Mr. Herbert Burchfield.

Recross-examination:

Q. Were there not mixed tickets around Horton poll November 5, 1878?—A. I cannot say, for I did not stay around the polls, and did not examine any tickets.

Q. Then some other name may have been on your ticket as the candidate for Congress?—A. Yes; there might have been.

Q. You did not examine your ticket particularly as to the name thereon as to member of Congress?—A. I did not examine my ticket at all.

N. M. BROCKWAY.

JOEL TAYLOR sworn.

Question. What is your name?—Answer. Joel Taylor.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I am.

Q. How long have you lived in Horton Township?—A. Ever since it was organized; about twelve years, I think.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Who did you pay it to?—A. I think Mr. Burchfield was the last collector.

Q. Do you remember when you paid it?—A. No, sir; I do not.

Q. Was it more than one month before the election in November, 1878?—A. I cannot recollect.

Q. Did you vote at the general election on November 5, 1878, for member of Congress for the twentieth Congressional district for the State of Pennsylvania, and for whom?—A. Yes, sir; for Seth H. Yocum, I think.

Cross-examined by C. H. McCAULEY, Esq.:

Q. Do you not belong to the Republican party?—A. Yes, sir; I do.

Q. Did you examine your ticket before voting?—A. Yes, I did; and know it was right.

Q. Was not the Republican ticket printed without the name of the candidate for Congress?—A. I think not.

JOEL TAYLOR.

H. M. BURNS sworn.

Question. What is your name?—Answer. H. M. Burns.

Q. How old are you?—A. Thirty-five years old.

Q. Where do you live?—A. At Keystone, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I moved there on or about the twentieth of October, 1877.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. I have.

Q. To whom did you pay it?—A. To Mr. Burchfield, constable of Horton Township.

Q. When?—A. September 13, 1878.

Q. Did you take a receipt?—A. I did.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and, if so, for whom?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. I did, for Seth H. Yocum; I believe that was the name.

Cross-examined by C. H. McCAULEY, Esq.:

Q. How did you pay the State or county tax referred to in your testimony-in-chief?—A. I paid it in money.

Q. Was it paid on the day you took the receipt?—A. Yes, sir; I believe it was.

Q. Was there any present?—A. I believe there was—G. W. Clinton.

Q. Where were you born?—A. In Butler County, Pennsylvania.

Q. When, where, by whom, and what for were you assessed?—A. I cannot remember when; at Keystone, in Horton Township, by Mr. Rudolph, on occupation.

Q. To what political party do you belong?—A. The Republican party.

Q. Did you examine your ticket immediately before you cast it, November 5, 1878?—A. I did.

Q. Were not the Republican tickets printed without the name of any candidate for Representative to Congress?—A. I believe they were; the one I voted was, I know.

Q. The Republican party did not have a candidate for Congress, did it?—A. Not that I know of in this district.

Redirect:

Q. Was the name of Seth H. Yocum, as candidate for Congress, on the ticket you voted?—A. Yes, sir; I put it on with a sticker.

Recross-examined:

Q. Do you swear positively that that sticker had the name of Seth H. Yocum on when you put it into the window, and was pasted upon your ticket, and indicated for what office he was running?—A. To the first part of the question I swear positively, and to the second part my impression is that the Republican ticket had "For Congress" printed upon it, and I pasted the sticker immediately below it.

Q. Did that sticker not cover the words "For Congress" printed upon your ticket?—A. My impression is that it didn't.

Q. Are you positive?—A. To the best of my belief I am positive.

Q. Then your belief in the matter is formed from the reason that you think you could not have been so awkward as to cover the words "for Congress"?—A. Partly.

Q. What other reason?—A. From the fact that I think I took care how I put the sticker on to the ticket.

Q. How wide was that sticker?—A. It was not a quarter of an inch.

Q. In what type was that sticker upon which was the name of Seth H. Yocum printed?—A. I don't remember.

H. M. BURNS.

GEORGE W. CLINTON sworn.

Question. What is your name?—Answer. George W. Clinton.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Twelve or fourteen years, or longer.

Q. How old are you?—A. Forty-five years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I suppose I am.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir; to the best of my recollection I have.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton election district on the 5th day of November, 1878, and if so, for whom did you vote?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. My recollections are that I did, and that I voted for Seth Y. Yocum.

Q. Do you remember positively whether the name was Seth H. Yocum or Seth Y. Yocum?—A. I do not.

Cross-examined by C. H. McCAULEY, Esq.:

Q. To whom did you pay tax?—A. I think the last year's tax I paid to Burchfield.

Q. When?—A. During the summer of 1878.

Q. Where?—A. I don't remember where.

Q. How did you pay it?—A. I don't know but that he owed me some tax, as I was collector before him, and that we made the exchange, and I don't know but that I paid him the money; I do not recollect just how it was arranged.

Q. Did you take a receipt?—A. I did not; at least I don't think I did.

Q. Did you receive any taxes as collector subsequent to October 5,

1878?—A. I cannot say whether I did or not. There are some taxes that are not paid me yet.

Q. Have you settled up your duplicate yet?—A. I have not.

Q. Did you mark your individual tax on your own duplicate paid prior to October 5, 1878?—A. I don't remember, but don't think I did.

Q. What time did you go to the polls on November 5, 1878?—A. I could not tell the exact time. I went there in the morning some time, about eight o'clock, I should think.

Q. Did you vote as soon as you arrived there, and go right home?—A. I voted not a great while after I got there. My recollection is that I was not at the election house over an hour.

Q. Were you requested to go to the polls that day, and, if so, by whom?—A. I don't remember having been requested to go to the polls by any one, still I might have been.

Q. Did you do anything else there but vote?—A. I think I swore the board, but am not positive.

Q. Were you sent for for that purpose?—A. I don't remember.

Q. Didn't you take the ballot-box there?—A. I don't remember.

GEO. W. CLINTON.

E. C. WOOD sworn.

Question. What is your name?—Answer. E. C. Wood.

Q. Where do you live?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Ever since it was set off from Fox Township.

Q. How old are you?—A. Fifty-one years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district, at the general election held in Horton election district on the 5th day of November, 1878, and, if so, for whom?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. I did; Mr. Yocum.

Q. Do you remember his given name?—A. My impression is it was Seth H. Yocum.

Cross-examined by C. H. McCAULEY, Esq.:

Q. Where were you born?—A. In Norton, Bristol County, Massachusetts.

Q. To whom did you pay tax?—A. I am not positive; I think Mr. Burchfield.

Q. When?—A. I could not say precisely.

Q. Where?—A. At Shawmut.

Q. How did you pay it?—A. In money.

Q. To what political party do you belong to?—A. I call myself a Republican.

Q. Did you examine your ticket immediately before you cast it?—A. I cannot say that I did, but it did not go out of my hands after I had examined it before I put it in.

Q. Don't you know that the Republican party did not have a candi-

date for Congress at the election November 5, 1878?—A. I cannot say whether they did or not.

Q. Don't you know that the Republican tickets did not have the name of a candidate for Congress printed thereon?—A. I did not.

Q. Did the ticket you voted have the name of Seth H. Yocum printed on it?—A. It did.

Q. Don't you know that the name printed on your ticket was Seth Y. Yocum instead of Seth H. Yocum?—A. I said it was Yocum, and my impression is it was Seth H. Yocum.

Q. Then you cannot swear positively whether it was Seth H. Yocum or Seth Y. Yocum?—A. I cannot.

Q. Can you swear positively that the name was not written on your ticket?—A. I can.

Q. Then it was printed?—A. It was.

Q. From whom did you procure your ticket?—A. I took it off of a bench in the school-house in Horton Township.

Q. Were there more tickets there than the one you took?—A. My impression is there were more lying there.

E. C. WOOD.

WALTER RUDOLPH sworn.

Question. What is your name?—Answer. Walter Rudolph.

Q. How old are you?—A. I am about fifty years old.

(The witness states that he takes this oath with the understanding that it only requires him to answer the questions put to him to the best of his knowledge, recollection and belief, and that so far he is to answer truly.)

By counsel for contestant :

Q. Do you believe in a God?—A. I do. I believe in an omnipotent, omniscient, and all-gracious God.

Q. Do you believe in a future state of rewards and punishments?—A. That is a pretty close question. I don't know but that I will have to qualify my answer. If a man merits any future reward he gets it; if a man merits any future punishment he gets it.

Q. Have you any conscientious scruples against the taking of an oath, such as has been administered to you by the commissioner?—A. I have not.

Q. Did you take that oath with any mental reservation?—A. No further than what I have stated.

By counsel for contestee :

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I am.

Q. Where do you reside?—A. At a place called Bogy Run, in Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. I think it will be ten years next month, with the exception that I was out of the township and county about six months at one time, my family and all.

Q. Did you live in Horton Township for more than two months prior to the 5th day of November, 1878?—A. Yes; I lived in Horton Township about three or four years, I think, prior to that.

Q. Do you mean three or four years subsequent to the six months' absence you spoke of before?

(Objected to by counsel for contestant as leading.)

A. I do.

Q. Have you paid a State or county tax within two years which was

assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. I have.

Q. Were you present at the general election held in Horton Township election district on the 5th day of November, 1878?—A. I was.

Q. Did you vote for any person for member of Congress for the twentieth Congressional district of the State of Pennsylvania on that day and at that election?—A. I did.

Q. For whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence and there being no proof that it has been lost or destroyed.)

A. I voted the Greenback ticket straight, as near as I can remember.

Q. Do you know whose name was on that ticket for member of Congress?—A. Seth Yocum, I think, was the name.

Q. Do you remember if there was any middle initial; and, if so, what it was?—A. I do not remember; I never charge my mind with such things.

Q. Were you present at said election in any official capacity; and, if so, what official position did you occupy?—A. I was there in what I supposed to be an official capacity; that of assessor of Horton Township for that year.

Q. Were you present there during the whole day?—A. As near as I can remember, I was there from the time the polls opened until they were closed.

Q. Where are the polls in Horton Township held?—A. They were held then at what is called the Hellen school-house.

Q. Was there any unusual amount of loud talking or boisterous conduct in or about the polling-place that day?—A. I don't think it hardly came up to the usual vote that day.

Q. Was there any disturbance in or about the polling place that interfered with the deposit or taking by the board of all the legal votes that were offered?—A. Nothing at all that I am aware of, except when votes were challenged.

(Counsel for contestant desires the balance of the witness's answer to the last question written down by the commissioner, to wit, after the word challenged, "there was considerable wrangling.")

At the request of the commissioner, the foregoing question is repeated and copied down.)

Q. Was there any disturbance in or about the polling-place that interfered with the deposit or taking by the board of all the legal votes that were offered?—A. There was none, in my opinion, that interfered with the general result of the election held there that day.

(The last answer objected to by counsel for contestant because the witness's opinion is not evidence, there being no proof or evidence of his knowledge of what constitutes a legal and orderly election.)

Q. Did you make the regular registry of voters in Horton Township for the year 1878?—A. Yes.

Q. Was there a full vote in Horton district at November election, 1878?

(Objected to by counsel for contestant as incompetent and irrelevant, the election returns and the registry being the best evidence, and there having been no proof offered that they are lost or destroyed.)

A. Yes; there was rather a better turnout than common.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant

Q. Where was you born?—A. I was born in Bedford County, in the State of Pennsylvania.

Q. To whom did you pay State or county tax?—A. I think it was to George Clinton.

Q. When?—A. I cannot tell when.

Q. Where?—A. The money was left at Short & Horton's store and he left a receipt in place of it. I think this was the way, but am not positive about it. I have been in the habit sometimes of leaving it there.

Q. Who left it there?—A. At that time I think it was my wife, though I am not positive.

Q. Did you see her leave it there?—A. I did not.

Q. How much money did she leave there?—A. I cannot tell you anything about it, for I don't know.

Q. With whom did she leave it?—A. I cannot say who she left it with.

Q. You don't know of your own personal knowledge whether she left it there or not?—A. No, sir, I do not.

Q. How long between the time of leaving the money and the getting of the receipt was it?—A. I cannot tell you.

Q. Was this the tax you referred to in your examination-in-chief?—A. I think it was.

Q. By whom were you assessed for this tax?—A. George Clinton.

Q. When?—A. It was at the usual time of assessing.

Q. Where?—A. I don't remember that I saw him at all while he was assessing that year.

Q. What were you assessed with?—A. A piece of land.

Q. Have you any personal knowledge of the assessment being made?—A. I have not, any more than I had a tax to pay.

Q. When did you make the registry you have testified to?—A. I think it was in June that I made the first one.

Q. When did you make the second one?—A. I finished the last registering on the 5th day of September.

Q. Did you make any registry between these two days?—A. I picked up a few along, occasionally, as I could find them.

Q. Where did you make the last registry of voters?—A. The 4th and 5th of September I was at the Hellen school, and up and down along the road, looking for those that were to come in at that time.

Q. What time did you go to the school-house on the 4th of September?—A. I don't remember.

Q. About what hour?—A. It was in the forenoon.

Q. How long did you remain there at the house?—A. I left there before dinner time.

Q. How many hours were you there that forenoon?—A. More than one.

Q. What time did you return to the school-house in the afternoon?—A. I don't remember.

Q. Did you go back in the afternoon?—A. I think I did.

Q. Did you stay there until evening?—A. I did not.

Q. Did you leave before four o'clock?—A. I left before school was out.

Q. At what time did you go to the school-house on September 5th, 1878, and how long did you remain there during the day?—A. I don't remember what time I went, and don't know how long I staid; not very long.

Q. Were you in the election house over an hour that day?—A. I could not tell.

Q. You wasn't there in the afternoon at all, in the school-house, on September 5th, 1878, were you?—A. I think not.

Q. Did you make a certificate and attach it to the registry of voters made by you?—A. I think not.

Q. Did you register the names of any persons who did not apply to you personally?—A. I did.

Q. How many?—A. I couldn't tell.

Q. Who gave you those names?—A. Some names I took on my own responsibility, and some were sent to me.

Q. Who sent you those names?—A. I don't recollect.

Q. Did more than one party send you names?—A. They did.

Q. Did you assess voters on your sixty-day list with an occupation tax?—A. Yes, sir.

Q. Were not some of the names handed you by other parties than the voter thus assessed?—A. There was.

Q. Were you in the election house on November 5, 1878; if so, for how long?—A. Yes, sir; I was. I think the whole day.

Q. Didn't you have the registry of voters that belonged to the board at any time during that day?—A. I had the registry list in my hands several times during the day.

Q. Did you register the names of any voters between September 5, 1878, and election day?—A. I did not.

Q. Did you not sit at the table around which the election board were sitting during the election or the counting of the votes cast November 5, 1878?—A. I did not, to my knowledge.

Q. You might have done so and not now recollect it?—A. I think not.

Q. Were you near that table during the day?—A. I was standing behind the inspectors. Mr. Daniel Phalen called me there to assist him in finding some names in the registry-list.

Q. You had the registry at other times than when you assisted him?—A. Not that I remember.

Q. Did you see Warren Mosier in the election house during that election?

(Counsel for contestee objects to the last question as not cross-examination, and all testimony of Mr. Rudolph which does not relate to his evidence in chief.)

A. I cannot say positive, but I think I did.

Q. Did you not hear him make a threat or offer to fight?

(Objected to by counsel for contestee as not being cross-examination, and a part of contestant's evidence in chief.)

A. I did not, and never heard of such a thing, to my recollection.

Q. Will you swear positively that he did not make threats to the board or a member of the board in the election house, during election day?—

A. Not in my hearing, to the best of my knowledge.

Q. May he not have done so?—A. He might have done so.

Q. Did you see Arnold Groves at the election house November 5, 1878?

(Objected to by counsel for contestee as not cross examination, and part of their case in chief.)

A. I did.

Q. Did you see James Maloy there while Arnold Groves was trying to vote?—A. I don't remember.

Q. Was Arnold Groves challenged?—A. I think he was.

Q. Did he come round into the election house?—A. He did.

Q. Were there not ten or fifteen or twenty persons other than the board in the election house when Mr. Groves came in?—A. There was that many—perhaps more, maybe not as many.

Q. Didn't James Maloy argue the qualifications of Mr. Groves' right to vote with the board?—A. I don't remember of his doing so.

Q. Don't you know that there was considerable talk between the board and James Maloy and others in regard to the receiving of Groves' vote?—A. There might have been, but I don't remember positively whether there was or not, but think there was some, though.

Q. Don't you know that they talked quite loud?—A. I do.

Q. Did you see Mr. Groves sworn?—A. I think I did, but am not positive.

Q. Were not some of these parties other than the board pretty close to the table around which the board sat?—A. I think not very near.

Q. Don't you know that Warren Mosier, Warren Horton, James Maloy, Arnold Groves, and Herbert Burchfield, or at least some of them, were right up close to this table when the challenge of Groves was being considered?—A. I think not; I don't think they were near enough to put their hands on the table; I mean none of these mentioned in the question.

Q. Then you swear positively that there were no persons other than the board near enough to lay their hands on the table at the time of the challenge of Groves' vote?—A. I don't swear positively to anything; I don't think they were.

Q. Don't you know that there were persons other than the board, during the considering of Groves' vote, close up around the table around which the board sat?—A. I do not, very close.

Q. Do you swear that they were not close up around the table?—A. I don't think they were.

Q. Were there persons other than the board close to that table at any time during the day?—A. There might have been and I not observed it.

Q. Don't you know that Herbert Burchfield sat upon the same bench with the clerks during that day?—A. I do not.

Q. Did he sit there?—A. I think not; I did not see him.

Q. Did you see him have a book or slip of paper and a pencil near the polling window, inside of the house?—A. I did.

Q. Didn't he stand pretty close to the polling-window?—A. Not very. He might have got up there sometimes, but I did not see him. He sat in a chair.

Q. Wasn't he within two feet of that window?—A. He might have been some time, but generally was about six feet away.

Q. Did you see him write?—A. I did.

Q. Was he keeping a list of voters?—A. He was keeping a list of the names and the number.

Q. Did you see John McAllister there?—A. It seems to me that I did.

Q. Was he challenged?—A. I think he was.

Q. Was there not considerable loud talk about the receiving of his vote?—A. I think no more than he made himself; not much more, any way.

Q. Who was he talking with?—A. Me for one.

Q. Were you talking about his right to vote?—A. Yes, sir.

Q. Did you not tell the board that Mr. McAllister had no right to vote?—A. I don't think I did.

Q. Did you not say that he had no right to vote in the hearing of the board?—A. No.

Q. Were his qualifications not talked over in the election house within hearing of the board?—A. They might have been.

Q. Were there not quite a number of persons, at the time McAllister's vote was being considered, in the election house?—A. Yes, sir.

Q. Do you swear that Mr. McAllister was the only man that talked loud?—A. I do not.

Q. How does it come that you remember that Mr. McAllister talked loud and no one else?—A. Because he seemed to be angry.

Q. Who was he angry with?—A. He mentioned the whole board to me, and included myself with the rest.

Q. You did not give him any cause to get angry with you, did you?—A. Not that I know of; I did not challenge his vote.

Q. Then he simply got angry with you and the board and talked very loud, and no one else said anything or talked loud?—A. I don't remember of any one at that time talking very loud except him.

Q. Did not Warren H. Horton, the Greenback candidate for assembly, tell the board in your presence that McAllister had no right to vote?—A. Not to my knowledge.

Q. Was not Warren H. Horton there?—A. I could not say whether he was at that time or not.

Q. Did you hear Warren H. Horton make any threats against the board, or any member thereof, at any time during election day?—A. I cannot say that I did that day.

Q. Did you hear him tell Mr. Phalen that unless he ceased challenging votes he would see him for it hereafter?—A. I heard nothing of the kind; not on election day.

Q. Then you didn't hear any conversation between Mr. Warren H. Horton and the board, or any member thereof, in regard to their receiving votes?—A. I think I did.

Q. What was it?—A. I think he told Phalen that he was working against him out of personal spite, or something to that effect.

Q. Was that all he said?—A. That is all that I remember he said.

Q. What did Phalen say?—A. He denied the assertion.

Q. Don't you know that Mr. Warren H. Horton was angry, excited, and in a passion at one time during the day in the school-house?—A. I think he was offended at some one, but not in a passion.

Q. Was there not some loud talk at the time Mr. Horton was offended?—A. I don't remember of his talking any louder than usual. He is not in the habit of talking loud. Yes, there were other ones there talking loud.

Q. Did you see Richard Himes, George Reedy, Geo. W. Gardner, or either of them, present at the polls; if so, which one?—A. I remember of seeing Gardner there, and think the others were, but am not positive.

Q. Was not Richard Himes challenged?—A. He was.

Q. Did he vote?—A. I think he did.

Q. Did he go around into the house; and was he sworn?—A. He was called in and sworn by the board.

Q. Were there not quite a number of persons other than the board in the house at that time?—A. Yes.

Q. Was there not considerable talk about his right to vote?—A. I believe there was.

Q. Was not that conversation a spirited one?—A. Not very.

Q. On what grounds was Mr. Himes challenged?—A. I think it was citizenship.

Q. Were any witnesses sworn?—A. I believe no more than the usual vouchers required by law.

Q. How many were sworn?—A. I think but one besides himself. I

didn't pay strict attention to such things, it was so common there that day.

Q. Give us the name of the witness.—A. I cannot.

Q. Were there not at least a dozen challenges made during the day?—

A. I couldn't say as to that.

Q. Don't you think that there might have been that many?—A. There might have been more or less than that number.

Q. Was there not a larger crowd in the election house at each time a challenged voter would come in to be sworn than when no challenges were made?—A. I think not.

Q. Would not the voter, his witnesses, and his friends come round into the house when challenged?—A. Sometimes, if there were many there, they would work in, and sometimes, if there were not many there, he would have hard work to find a witness.

Q. Was George Reedy challenged, and did he vote?—A. Yes.

Q. Do you know where Short & Horton's lumber camp is?—A. I do.

Q. Is it in Fox Township?—A. I am told it is in Fox Township. I think it is.

Q. Are not the elections in Horton Township usually conducted very irregular and loose?

(Objected to by counsel for contestee as incompetent and asking the opinion of a witness in a matter in which he is not shown to be an expert.)

A. I think not.

Q. Do they not generally at elections in Horton Township crowd around the table of the election board?

(Objected to by counsel for contestee as incompetent and irrelevant, and as not referring to the election in question.)

A. Not very near, they don't. Not enough to interfere with the election, to my knowledge.

Q. Is it not usual for voters to congregate in the election house in Horton Township during elections?

(Objected to by counsel for contestee as incompetent and irrelevant.)

A. They do, because they have no other place to go.

Q. Do you consider it proper to have a crowd of voters in and around the election board while the election is being held?—A. I do not.

Q. Do you consider it proper for candidates or voters to crowd around election boards and argue or give directions as to the duties of the board during the election?—A. No.

Q. Did you not say while on the stand as a witness there was considerable wrangling?—A. Yes, sir. But I was talking to Mr. Rathbun, and used those words not intending to have them taken down by the commissioner, and so stated; but I now state it as a fact that there was considerable wrangling.

Q. Were you not then answering a question and stopped by Mr. Rathbun?—A. I think not. I did not understand it that way.

Q. Did not Mr. Rathbun first object to these words being put down?—A. I don't know as he did.

Q. Did he object to having these words go down?

(Objected to by counsel for contestee, as having nothing to do with the case.)

A. I think he did, after I had objected.

W. RUDOLPH.

T. J. TAYLOR sworn.

Question. What is your name?—Answer. T. J. Taylor.

Q. How old are you?—A. Forty-six years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since 1858.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes.

Q. Did you vote at the general election held in Horton election district on the 5th day of November, 1878?—A. Yes.

Q. Did you vote at that election for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania?—A. Yes.

Q. For whom did you vote for that office?

(Objected to by the counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Seth H. Yocum.

Q. Were you present at that election in any official capacity, and if so, in what capacity?—A. I was inspector of election.

Q. What part of the work did you do during the day?—A. I took the ballots at the window, and numbered them.

Q. What part of the work in counting the vote did you?—A. I took the ballots out of the box, and opened them.

Q. Who were the candidates voted for for member of Congress at that election?

(Objected to by counsel for contestant as incompetent, the ballots themselves being the best evidence, and there being no proof that they are lost or destroyed.)

A. Seth H. Yocum and Andrew G. Curtin.

Q. Was one of these names upon each ballot which had a candidate for Congress upon it, that was voted November 5, 1878?

(Objected to by counsel for contestant as incompetent, the ballots themselves being the best evidence, and there being no proof that they are lost or destroyed, and because it proposes to contradict the witnesses produced on the part of the contestee, Mr. Yocum.)

A. There was.

Q. Was there any unusual, loud talking or boisterous conduct in and around the polling place in Horton election district at that election?—

A. No more than usual.

Q. Was there any disturbance in and around the polling place on that day at that election which interfered with the election board in the performance of their duties, and prevented a full, free, and fair poll of all the legal votes that were offered?—A. There wasn't.

(The further taking of testimony adjourned until Thursday, March 6, 1879, at 8 o'clock a. m., by consent of counsel for contestant and contestee.)

T. J. TAYLOR on the stand.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant:

Q. To what political party did you belong on November 5, 1878?—A. The Greenback party.

Q. To whom did you pay a State or county tax?—A. George W. Clinton.

Q. When?—A. The 4th day of January, 1878.

Q. Where?—A. In Horton Township—at my camp on Johnson Run.

Q. How?—A. In money.

Q. How much?—A. One dollar and eighty-four cents.

Q. When, where, and by whom was the assessment made upon which that tax was based?—A. The tax was levied in 1877—I mean the assessment was made. I cannot tell just the date. It was made by Jacob Hartman, as near as I can recollect, at my camp on Johnson's Run.

Q. Upon what property was this assessment made?—A. Upon personal property.

Q. Were you registered; if so, when, where, and by whom?—A. I was. In June, 1878, near Brandy Camp Hotel, by Walter Rudolph.

Q. Did you examine your ticket immediately before you cast it November 5, 1878?—A. I did.

Q. Where did you cast it—in or out of the election house?—A. In the election house. I was in the election house.

Q. At what time in the morning of November 5, 1878, did you go to the election house?—A. About seven o'clock.

Q. Was it not after eight o'clock in the morning of November 5, 1878, before the polls were opened in Horton Township?

(Objected to by counsel for contestee as not being cross-examination and being part of contestant's case in chief.)

A. It was.

Q. Did you not send for George W. Clinton to come and swear in the board?—A. I am not positive about that.

Q. Did not some member of the board send for Mr. Clinton for that purpose?—A. They might have done so.

Q. Don't you know as a fact that they did so?—A. I don't.

Q. Did Esquire Clinton swear the board?—A. Part of it.

Q. What part of it?—A. The judge.

Q. Was that the only member of the board that Mr. Clinton swore?—A. It was.

Q. Was Mr. Clinton a justice of the peace?—A. He was.

Q. Were all the members of the board present at the time they were sworn?—A. They were.

Q. Were each of the board sworn separate?—A. Yes.

Q. You took the votes from the voters at the window, numbered them, and handed them to Mr. Phalen, did you?—A. I did.

Q. What did Mr. Daniel Phalen do with them?—A. Handed them to the judge, Mr. H. Horton.

Q. What did he do with them?—A. Deposited them in the ballot-box.

Q. Were there any other duties performed by the inspectors and judge of the election board during the election than you have stated?—A. There were not.

Q. Were there any votes challenged during the day; if so, how many and what were the names of the persons offering them?—A. There were. I can't tell how many. I cannot tell all the names. I can tell part of them. There was J. C. McAllister, William Barnes, Arnold Groves, Richard Himes, Geo. W. Gerdner, Pearl Fields, Lewis Frantz, I believe Young Hulet, Tom Dollinger, B. H. Butler, Philip Rhodes, T. W. Space, John George.

Q. Were Henry Yale or John Hyatt challenged?—A. I believe not, but am not positive.

Q. What did these several voters do when they were challenged?—A. They proved their right to vote.

Q. Where did they go?—A. They came into the election house.

Q. Did each and every one of them produce a witness?—A. They did not.

Q. Were the witnesses and voters sworn at the same time, or were they severally sworn?—A. The witness and voter were sworn separately.

Q. Were there persons in the election house other than the officers of the board at the time these witnesses and voters were sworn?—A. There was.

Q. Were there not as high as twenty-five to thirty-five persons in the room other than the board at those times or some of them?—A. There might have been that many.

Q. Don't you know that there were quite a crowd in the election house other than the board at several times during the day?—A. Yes.

Q. Were there not some of this crowd that argued or talked pretty loud in the presence of the board?—A. No more than common.

Q. Don't you know that there was loud talking in the election house several times during the day?—A. I don't know as there was.

Q. Would you have heard it if there had been?—A. I would.

Q. Did you hear Warren H. Horton threaten Mr. Daniel Phalen that if he did not cease challenging votes that he would see him for it hereafter?—A. I did not.

Q. Did you hear Warren H. Horton make any threats to Mr. Daniel Phalen?—A. I heard no threats.

Q. Did he talk or argue the qualification of any voter in the election house during the day?—A. I couldn't say; I didn't listen.

Q. Didn't he tell the board that J. C. McAllister had no right to vote, and give certain reasons therefor?—A. I don't know as he did.

Q. Would you have heard it if he had done so?—A. I would, if he had been talking to the board.

Q. Did you see Warren H. Horton angry, excited, or in a passion there in the election house during the day?—A. I cannot say that he was angry, excited, or in a passion.

Q. Could you notice any difference in his manners than usual?—A. I didn't notice any.

Q. Would you have noticed it if there had been any difference?—A. I don't know as I should.

Q. Did you see Warren Mosier in the house in the crowd during the election, November 5, 1878?—A. I did.

Q. Did you hear him make any threats or offer to fight while there?—A. I did not.

Q. Would you have heard it if he had made threats?—A. I don't know as I should.

Q. Were you within hearing distance of Mr. Mosier when you saw him, if he should talking an ordinary voice?—A. I was; but didn't pay any attention to him.

Q. Did you pay any attention to anything that was said in regard to directions given the board as to the right of receiving votes?—A. I did not.

Q. Did you see Richard Himes in the election house after he was challenged; and, if so, was he sworn?—A. I did see him inside, and I believe he was sworn.

Q. Did he produce a witness?—A. I believe he did.

Q. Was the witness sworn?—A. He was, if he had one.

Q. Did Himes or his witness subscribe a written or printed or partly written and partly printed affidavit?—A. I cannot say whether they did or not.

Q. Were there more than one written or printed or partly written and partly printed affidavits made out and subscribed during that election?—A. I think there was.

Q. How many?—A. I cannot tell.

Q. For what voter and witness were they prepared?—A. I don't recollect what ones.

Q. What did you do with these affidavits other than that one?—A. They were returned.

Q. To whom?—A. They were put in with the returns sent to the prothonotary.

Q. Were these affidavits, other than that one, subscribed by the voter and witness?—A. I think they all were.

Q. Did you see Herbert Burchfield in the election house during the day of election, November 5, 1878?—A. I did.

Q. Did he not sit or stand inside of the house or near the window through which the votes were being polled?—A. He was inside of the house, but not by the window.

Q. Did he not sit on the bench beside the clerks at the table around which the board sat at any time during the day?—A. He did not.

Q. Are you positive?—A. I think I am.

Q. Did you see Mr. H. Burchfield have a paper or book and pencil or pen in the election house?—A. I did.

Q. Did you see him write?—A. I did not.

Q. Did not Herbert Burchfield at one time during the day lean or bend over the ballot-box?—A. He did not.

Q. Are you positive?—A. I am.

Q. Did you see Mr. Herbert Burchfield at any time during the day within two feet of the polling window inside of the house?—A. I did not, to my recollection.

Q. Would you have seen him if he had been there?—A. I would, unless he had come up behind my back so I would not hear him.

Q. Did he at any time during the day come up behind you or Mr. Daniel Phalen or the judge of elections?—A. He did not, to my recollection.

Q. Did you see Walter Rudolph sitting on the bench upon which any of the board sat around the table upon which the ballot-box stood at any time during the day or evening?—A. I don't think I saw him sit down, but Daniel Phalen called upon him to explain the register several times during the day.

Q. Did you see Walter Rudolph have the registry of votes in his hands at any time during the day?—A. I did not.

Q. Did Mr. Walter Rudolph argue the qualifications of any voter before the board during the day?—A. He did not.

Q. Have you had any conversation with Mr. Walter Rudolph as to his or your testimony before this commission?—A. I have not at any time.

Q. Have you had any conversation with Mr. Geo. A. Rathburn or Mr. James Woodward or W. W. Ames as to what your testimony should be before this commission?—A. I have not.

Q. Did not either of them say anything to you in regard to the name of candidate or candidates for Congress?—A. They did.

Q. What was it?—A. They asked me who I voted for for Congress.

Q. Was there anything said as to how the name of Seth H. Yocum was spelled or printed?—A. I told him that I voted for Seth H. Yocum. I think he said they claimed there were some ballots printed Seth Y. Yocum, but I said I saw no such ballots. This conversation was with Mr. Rathburn.

Q. Did you examine the names of each and every candidate voted for, particularly, upon the tickets that were cast in Horton Township November 5, 1878?—A. I did.

Q. Were there any parties present other than the election officers while the votes were being counted?—A. I think there were some in the room.

Q. Was there not some of these parties, or at least one of them, who sat at the table and kept a tally as the votes were counted?—A. There was not.

Q. Are you positive?—A. I am.

Q. Did you open the ballot-box after the polls were closed?—A. I did.

Q. Was it opened at any other time during election day?—A. It was not.

Q. Did you see the ballot-box all the time during the day?—A. All the time, excepting about five minutes that I had occasion to go out doors.

Q. Did you see the ballot-box all the time while you were receiving and numbering the votes?—A. Yes; with the exception of when my eyes were turned in numbering a ticket.

Q. When you were receiving the tickets at the window, were you not looking to see who offered the votes?—A. I was.

Q. Were these parties outside or inside who offered those votes?—A. Outside.

Q. Was not the ballot-box on the table some distance inside of the window?—A. Yes.

Q. Were any votes received in the election-house during the day?—A. I don't think there was, but am not positive, excepting the board.

Q. Where did you go when you went out of the election-house?—A. I went to attend to a call of nature.

Q. Did you have any tickets with you?—A. I had one.

Q. Did you do any electioneering that day?—A. I did not.

Q. Did you not give out some tickets during that election?—A. I gave out one.

Q. Did you not argue or try to persuade a voter as to his vote on that day?—A. I did not.

Q. Did you not talk with a voter in regard to his vote while out of the election-house?—A. I don't think I did.

Q. Did you have any more than that ticket and the ones that were voted in your possession during the election?—A. I did not.

Q. Were there any tickets on the table upon which the ballot-box stood during the day other than those that were voted through the window and by the board?—A. There were none that I saw.

Q. Did you remove the cover from over the three apartments in the ballot-box before counting?—A. I did, but off of one apartment at a time.

Q. You took the tickets out of the box, handed them to Mr. Phalen, he read the names aloud, handed them to the judge, and he put every one of them on a string?—A. I did; I took them out of the box, unfolded them, and then handed them to Mr. Phalen, who read them aloud and then handed them to the judge, who put them on a string.

Q. Did the number of votes taken out of the box agree with the clerks' poll-list?

(Objected to by counsel for contestee as incompetent, the poll-lists, returns, and tally papers being the best evidence, and there being no proof that they are lost or destroyed.)

A. They did, with the exceptions of the judiciary; I found two tickets

for judiciary folded together, and but one of them numbered; I destroyed them both.

Q. Were those tickets on the string put into the ballot-box and the box sealed up after the votes were counted?—A. They were.

Q. Have you seen that string of tickets at any time since they were so put in?—A. I have not.

Q. Was that box in the same condition at February election last as when you left it November 5, 1878?—A. It was as far as I could see.

Q. Was there anything done with the apartments, or the sealing of the apartments, in which they were put since November 5, 1878?—A. Nothing, except we sealed the whole box after the township election.

Q. Were not other members of the board out of the election-house during the election, November 5, 1870?—A. They might have been, but no length of time.

Q. Was not Mr. Phalen out once or more?—A. Not to my recollection; he might have went out.

Q. Was not Mr. Horton, the judge of election, out during the day?—A. I believe he was, but I am not positive.

Q. At what time in the day?—A. I cannot tell.

Q. Were the clerks out?—A. I cannot say that they were.

Q. Would you not have known it if they were?—A. They might have went out and I not known it.

Q. Did you hear the result of the vote for W. H. Horton for assembly announced before the votes were counted by any one?—A. I did not.

Q. Were the members of the election-board severally sworn in the presence of all of them and each other?—A. They were.

Q. Are not the elections in Horton Township usually very irregular and loosely conducted?—A. I think not.

Q. Do you consider it proper and right for a large crowd of voters to be in the election-house, around the board, during the election?

(Objected to by counsel for contestee as incompetent, as it asks his opinion upon what would be a legal inference from a statement of facts.)

A. I do not.

Q. Was there not quite a number of persons running in and out of the election-house other than voters and witnesses when challenged, November 5, 1878?—A. I cannot say that there were.

Q. Were there not quite a number of persons in the election-house during the day?—A. There were several different persons in there during the day.

Q. How many were the most you saw there at any one time?—A. I cannot say positively, but I should judge from twenty-five to thirty.

Q. Was there a sign or placard at the polling-window which indicated where votes were to be received, November 5, 1878, in Horton election district?—A. I think there wasn't.

Q. Did not Herbert Burchfield or Mr. Rudolph keep a tally or list of the votes cast for the office of assembly while in the election-house November 5, 1878?—A. I cannot say that they did. They had a book, but I cannot say what they were doing with it; one had a book part of the time and the other had the same book part of the time.

(The counsel for contestee object to all the questions and answers in the foregoing cross-examination which are not in regard to matters or facts called out in the examination of the witness in chief.)

Redirect:

Q. You have testified that when you went out of the election-house you had one ticket with you; what did you do with it?—A. I gave it to John Fry.

Q. How came you to give it to him?—A. He told me before election he wanted to vote a Democratic ticket except the assemblyman; that he wanted to vote for W. H. Horton for assembly, and I got the ticket to give to him.

(Objected to by counsel for contestant as incompetent and irrelevant, being hearsay.)

Q. What kind of a ticket was it?—A. A Democratic ticket, except assembly.

Q. Was the ballot-box used at the spring election in February last the same which was used at the general election in November last?—A. It was.

Q. Did you use the same apartments?—A. We did not.

Q. Did the apartments containing the tickets and papers of the November election of 1878 remain closed and sealed during the spring election as you had sealed them after counting the vote November 5, 1878?—A. They did.

Recross-examined:

Q. Was the ballot-box in your custody from November 5, 1878, to February election, 1879?—A. It was not.

Q. Could not it have been opened and those tickets taken out and examined and then sealed up between those elections, and you not know it?—A. I don't think it could.

Q. Could not an expert have taken those seals off and put them back in the same position as they were when you left them in November 5, 1878?—A. An expert might, but I don't think we have any of them here.

Q. Do you say that it was not taken off and put on again?—A. I said I didn't think it had been.

Q. Was there anything put on that box, November 5, 1878, excepting a string and seal?—A. There was a strip of cloth put around the box and sealed.

Q. Were the holes in the box covered?—A. I am not positive; but I think not all of them.

Q. Were all the votes offered that day, November 5, 1878, received by the board?—A. I think they were.

Q. Who swore the voters and witnesses when challenges were made?—A. The judge of election.

Q. Were all the affidavits made by the voters and witnesses subscribed by the judge of election?—A. I think they were.

T. J. TAYLOR.

JOSEPH S. CHAMBERLIN sworn.

Question. What is your name?—Answer. Joseph S. Chamberlin.

Q. How old are you?—A. Forty-eight years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. Twenty-three years.

Q. What is your business?—A. Farmer.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before November 5, 1878?—A. I have.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election

held in Horton district on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it is lost or destroyed.)

A. I did; for Seth H. Yocum.

Q. Did you examine your ticket before you put it in?—A. I did.

JOS. S. CHAMBERLIN.

T. M. MYERS sworn.

Question. What is your name?—Answer. T. M. Myers.

Q. How old are you?—A. Forty years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. At Hellen Mills, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. One year the 7th of last January.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th of November, 1878?—A. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. I did, for Seth H. Yocum.

Cross-examined by C. H. McCAULEY, counsel for contestant:

Q. Was not the name Seth Y. Yocum on your ticket?—A. I don't know.

Q. Did you examine your ticket particularly as to how the name was spelled and as to the middle letter of the name of the candidate for Congress?—A. I did not as to the middle letter.

Q. Then you cannot say positively whether it was Seth Y. Yocum or Seth H. Yocum?—A. I am not positive, but I am under the impression that it was Seth H. Yocum.

Q. Have you any distinct recollection as to the middle letter in that name on your ticket?—A. I think it was "H"; that is my recollection of it.

Q. Have you talked with any one in reference to whether the name was Seth H. Yocum or Seth Y. Yocum?—A. No, sir.

Q. Is not your recollection from the newspaper announcements, or from general information as to the name of the candidate, and not from the ballot that you cast?—A. No, sir.

Q. Where did you pay tax?—A. In Jefferson County, Pennsylvania.

Q. When and to whom?—A. In 1878, and, I think, to the county treasurer, if I recollect right.

Q. Was that not an unseated tax?—A. No; it was a State and county tax.

Q. Was not that State and county tax assessed upon unseated property?—A. No, sir.

Q. What time of the year 1878 did you pay the tax?—A. It was in the summer.

Q. Was it not a tax upon your occupation?—A. Yes.

T. M. MYERS.

WARREN MOSHIER sworn.

By counsel for contestant:

Question. Do you know the nature of the oath or obligation you have taken?—Answer. Yes, sir.

Q. Do you believe in a Supreme Being, and a future state of rewards and punishments?—A. Yes, sir; I do.

Q. Do you understand what we mean by a future state of rewards and punishments?—A. Yes, sir.

Q. What do we mean by a future state of rewards and punishments?—A. I don't know.

By counsel for contestee:

Q. Do you believe that you will be punished after death for breaking the law of God during your life?

(Objected to by counsel for contestant as leading.)

A. Yes, sir.

Q. What is your name?—A. Warren Moshier.

Q. How old are you?—A. Twenty-three years old.

Q. Are you a citizen of the United States, and of the State of Pennsylvania?—A. Yes, sir; I am.

Q. Where do you live?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. I have lived in the territory that is now Horton Township nineteen or twenty years.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before November 5, 1878? A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878?—A. I did.

Q. For whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that it has been lost or destroyed.)

A. Mr. Yocum.

Q. Do you know his given name?—A. Seth A. Yocum.

Q. Do you know what middle letter of the name of the candidate on your ticket was?—A. I do not now.

Q. Would you know it if you would hear it?—A. Yes, sir; I would.

Q. Was it Seth H. Yocum?

(Objected to by counsel by contestant, first, as leading, and second, because it proposes to contradict their own witness now on the stand.)

A. Yes, sir; it was.

Q. To what political party do you belong?—A. To the Greenback party.

Q. Who did you get your ticket from that you voted?—A. I cannot remember now.

(The counsel for contestant objects to all the foregoing testimony of the witness on the stand because the witness does not answer the proper questions as to the necessary qualification of a witness.)

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant:

Q. To whom did you pay a State or county tax?—A. To George Clinton.

Q. When?—A. I have forgot now.

Q. Where?—A. In Short & Horton's store.

Q. How?—A. In money.

Q. Did you take a receipt?—A. Yes, sir.

Q. At the time?—A. Yes, sir.

Q. Was there any one present?—A. I could not say.

Q. With what property were you assessed?—A. My occupation.

Q. When, where, and by whom were you assessed?—A. In 1878; I cannot say where; by Mr. Rudolph.

Q. Don't you know that the tax you paid was over two years ago?—A. No, I don't.

Q. The tax you paid was based upon the assessment made by Rudolph, wasn't it, and you paid it to George W. Clinton?—A. Yes; and I paid it to George W. Clinton.

Q. Did you examine your ticket immediately before you put it into the window, November 5, 1878?—A. I did.

Q. Did you examine the name of every candidate upon it, particularly?—A. Yes, sir; I did.

Q. Don't you know that the name Seth A. Yocum was on that ticket?—A. Yes, I know now, but a man is liable to forget.

Q. What time in the day did you go to Horton polls, November 5, 1878, to vote?—A. I couldn't say. It was in the afternoon, sometime along towards night.

Q. Were there any parties in the election-house while you were there other than the election board?—A. Yes, there were some there.

Q. Did you not make threats or offer to fight while in the election house that day?—A. No, sir; I didn't.

A. Didn't you commence taking off your coat, and say something about wanting to fight?—A. Not to my knowledge, I didn't.

Q. Did you see James McClellan there in the house that day?—A. No, sir; I didn't.

Q. Did not McClellan or McAllister caution you about your offering to fight them in the house?—A. No, sir.

Q. Are you positive?—A. Yes, sir.

Q. Did you drink any liquor at any time during election day, November 5, 1878?—A. No, sir.

Q. Did you see any liquor there that day?—A. No, sir.

(The counsel for the contestee object to all the foregoing questions as to occurrences at the polling place, and what the witness did other than concerning his vote, as irrelevant, and not cross-examination, and part of their case in chief.)

Redirect :

Q. Were you ever assessed by any one besides Walter Rudolph?—A. Yes, sir.

Q. Who assessed you at any other time?—A. I cannot tell who.

Q. Did George W. Clinton ever assess you?

(Objected to by counsel for contestant as leading.)

A. I don't remember.

Recross-examined :

Q. What time did Mr. Rudolph assess you?—A. I don't remember. I think I wasn't at home. My mother gave him my name.

Q. Had you any property upon which you paid a State or county tax before you became of age?—A. No, sir.

Q. Then the tax to Clinton was the only tax you have ever paid, was

it not?—A. No; I don't think it was. I have paid State and county tax twice, I think, but don't recollect to whom.

Q. Were you assessed twice in the same year?—A. No.

JOSEPH MOSIER.

THOMAS BURCHFIELD sworn.

Question. What is your name?—Answer. Thomas Burchfield.

Q. How old are you?—A. I am fifty-six years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. About twenty years.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before November 5, 1878?—A. I have.

Q. Did you vote at the general election held in Horton district on the 5th day of November, 1878, for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania; and if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot being the best evidence, and there being no proof that it has been lost or destroyed.)

A. I did; Seth H. Yocum.

Q. Do you know H. C. Burchfield and Fred. Burchfield?—A. Yes, sir; I know them.

Q. What relation are they to you?—A. They are my sons.

Q. Did you ever pay a State or county tax for them or either of them?

(Objected to by counsel for contestant as incompetent and irrelevant.)

A. I have for both of them.

Q. When did you pay it, and to whom?—A. I cannot tell exactly when I paid it; it was some time a year ago this winter, to George W. Clinton.

Cross-examined by C. H. McCauley, Esq., counsel for contestant:

Q. Are you not a collector of State and county tax; if so, for what township and for what year?—A. I am collector of State and county tax for Horton Township for the years 1878 and 1879.

Q. Did Herbert Burchfield or Fred. Burchfield pay you a State or county tax prior to October 5, 1878?—A. Well, I cannot say that they did.

Q. When did you pay the taxes of yourself and your two boys to Mr. Clinton?—A. I cannot tell exactly the time; it was some time last winter or spring, about a year ago.

Q. Where did you pay it?—A. In Short & Horton's store.

Q. How?—A. In money.

Q. Did you take receipts?—A. No, I didn't.

Q. Didn't you and Clinton simply turn the taxes you had against him against those he had against you?—A. No, sir; I didn't.

Q. Did those boys pay you the amount you paid Clinton at any time since?—A. They didn't just pay me in money, but they worked for me, and I suppose that I owe them.

Q. You didn't settle with them and charge them at any time since with these taxes, did you?—A. No, sir.

Q. What is your business?—A. Farming.

Q. What does Herbert Burchfield do?—A. He works at Short & Horton's when there is work there for him.

Q. About how long has he worked there for them ?—A. He has worked off and on ever since they started in business.

Q. How many years since they started in business ?—A. Some two or three years.

Q. What is Fred. Burchfield's business and where does he work ?—A. He works for Short & Horton.

Q. Have you not worked for Short & Horton for the past two years, more or less ?—A. I suppose I have in the winter time.

Q. Were you at the election November 5, 1878, in Horton election district ?—A. I was.

Q. How long ?—A. I was there all day.

Q. Were you in the house during the day ?—A. I was.

Q. About how long ?—A. I was in and out all day.

Q. Did you receive any taxes in the election house that day ?—A. I don't remember of receiving any, but forty cents, and that was from this old man here, Heidketter.

Q. Did you not receive taxes from other parties during that day ?—A. I don't remember that I did, but I might.

Q. Didn't you give some tax receipts while there that day ?

(Objected to by counsel for contestee as not cross-examination, and being part of contestant's case in chief.)

A. I don't remember of giving any tax receipts except to this old man for the forty cents.

Q. What taxes did you receive there ?—A. I might have taken some school tax and poor tax and road tax.

Q. From whom ?—A. I cannot answer.

Q. Didn't the parties who paid that road, school, and poor tax pay you their county tax at the same time ?—A. I don't know as they did.

Q. Do you say they did not ?—A. No, I wouldn't say so ; but I don't know as they did ; I cannot remember.

Q. How does it come that you can remember that they paid their road, school, and poor tax and cannot remember as to the county tax ?—A. The only way that I can answer that is because the school, road, and poor taxes were old taxes, and they had to pay them ; but I don't know that I received a cent on these taxes, but might have done so.

Q. Didn't you give receipts for the road, school, and poor taxes that day ?—A. I don't know that I did.

Q. Don't you remember of writing some receipts in the election-house that day ?—A. I don't remember of writing any but that one receipt.

Q. Did you have your State and county duplicate there that day ?—A. I did.

Q. Did you receive any taxes, State and county, between the 4th day of October and the 5th day of November, 1878 ?—A. I don't think I did.

Q. Did you give some receipts between those dates ?—A. Not that I mind of for State and county tax.

Q. Didn't Warren H. Horton pay you some taxes for persons other than himself during the fall of 1878 ?

(Objected to by counsel for contestee as not cross-examination, and part of contestant's case in chief.)

A. Yes, I believe he did, for his own men who were working for him.

Q. Didn't he pay you some taxes for men who were not working for him ?—A. They might not have been working for him just at that time, but they had been.

Q. Didn't he pay you taxes for men who never worked for him ?—A. I don't know that he did pay any such taxes.

Q. Didn't he pay State and county tax for quite a number who were not working for him at the time he paid them?—A. I couldn't answer that, for I don't know.

Q. Didn't he pay a State and county tax assessed against Philip Rhodes?—A. Yes, he did.

Q. Was he working for him at the time he paid it?—A. No, I guess not; not that I know of.

Q. About how many persons' taxes did Mr. Warren H. Horton pay you?—A. I have looked over my book and I cannot find but six or seven that he paid.

Q. Does that book contain the names of all persons for whom he paid the taxes to you?—A. I believe it does, all but one.

Q. Does that book contain the registry, or sixty-day tax as it is called?—A. I believe it does.

Q. Give us the name of the person for whom he paid taxes that is not named in that book?—A. A. J. Allen.

Q. How much money did he pay you?—A. Perhaps four or five dollars; I cannot remember now.

Q. When?—A. As near as I can remember it was along about the latter part of September, 1878.

Q. Where?—A. In his store.

Q. Who were present?—A. I cannot remember who were present.

Q. Did he pay you the exact amount of these several taxes at that time?—A. He did.

Q. Did you give him separate receipts for each person's tax?—A. I did.

Q. When and where?—A. I gave him the receipts in the store when he paid me the money.

Q. Didn't he pay you some money to pay taxes with at another time?—A. No, I don't know as he did.

Q. Did you give him any receipts for taxes without receiving the money at any time?—A. No.

Q. Did any other party pay State or county tax for persons other than themselves in the fall of 1878? If so, who?—A. Yes, sir; George W. Clinton.

(Objected to by the counsel for contestee, for the reason that all the foregoing questions and answers relating to payments of taxes by Warren H. Horton, or any other person except the witness, are incompetent, being part of the contestant's case in chief, and not cross-examination.)

Q. When?—A. Some time in September, 1878.

Q. For about how many?—A. Two.

Q. Did you give receipts?—A. Yes; I think I did.

Q. Did you give any receipts for State or county tax to any persons during the fall of 1878 without having first received the tax?—A. No, I did not.

Q. Was there any person authorized by you to give receipts for State and county tax during the fall of 1878?—A. No.

Q. Don't you know that Mr. Warren H. Horton paid you at least twelve or fifteen different persons' State or county taxes during the fall of 1878?—A. No; I don't remember that he did.

Q. Did you examine your ticket immediately before you cast on November 5, 1878; if so, did it not have printed thereon Seth Y. Yocum or Seth A. Yocum?—A. I did. I think it didn't; I think it had Seth H. Yocum.

Q. Have you a distinct recollection of the middle letter of the name

of Mr. Yocum printed on that ticket?—A. I couldn't just say that I had.

Q. Were you constable of Horton Township on November 5, 1878?—A. I was.

(The counsel for the contestee object to all the questions and answers in the cross-examination of this witness not relating to facts inquired of in the examination in chief as not being cross-examination, and incompetent for the reason that the matters inquired of in such questions would if true form part of the contestant's case in chief.)

Redirect:

Q. Do you know E. C. Burchfield?—A. I do.

Q. What relation is he to you?—A. He is my son.

Q. How old is he?—A. He was twenty-one last spring.

Recross-examination:

Q. What is his business?—A. A laborer.

Q. Did he work for Short & Horton during the fall of 1878 or at any time since that time?—A. He didn't work for Short & Horton in the fall of 1878. The last two weeks he has worked for one of their jobbers.

THOMAS BURCHFIELD.

HORACE FRENCH sworn.

Question. What is your name?—Answer. Horace French.

Q. How old are you?—A. I am forty-six years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since its organization.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed).

A. Yes, sir; Andrew G. Curtin.

(The counsel for contestant withdraws his objection to the last question above stated.)

Q. Did you look at your ticket immediately before voting with reference to the name of the candidate thereon for Congress?—A. Yes, sir.

Q. Was it Andrew G. Curtin or Andrew J. Curtin?—A. As near as I can read.

Q. Can you read?—A. I can read some.

his
HORACE + FRENCH.
mark.

Witness:

H. M. POWERS,
Notary Public.

GEORGE W. GARDNER sworn.

Question. What is your name?—Answer. George W. Gardner.

Q. How old are you?—A. Fifty-five years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. I moved into Horton Township on the 24th day of last August.

Q. Are you a married man?—A. Yes, sir.

Q. Did you move your family with you when you came to Horton Township?—A. Yes, sir.

Q. Where did you move from?—A. Ridgway Township.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir; I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton Township on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Yes, sir; Seth H. Yocum.

Cross-examined by C. H. McCAULEY, Esq.:

Q. To whom did you pay tax?—A. To George Messenger.

Q. When?—A. Some time in 1877.

Q. What time in the year?—A. I cannot tell.

Q. Where?—A. In Ridgway.

Q. Was it not in 1876 that you paid that tax?—A. No, sir; it was not.

Q. By whom, when, and where were you assessed?—A. I cannot tell; there has never been an assessor to me since I have been in the State.

Q. Was it not a road or school tax that you paid Messenger?—A. It was not; it was a State and county tax.

Q. Did you examine your ticket immediately before you cast it on November 5, 1878?—A. I did.

Q. Wasn't the name on that ticket for Congress printed or written Seth Y. Yocum or Seth A. Yocum?—A. It was not.

Q. Were you challenged?—A. Yes, sir.

Q. Were you registered?—A. No, sir.

Q. Were you sworn?—A. I was.

Q. Did you produce a witness?—A. I did.

Q. Did you and the witness each subscribe a written or printed or partly written and partly printed affidavit?—A. I did; and the witness also.

Q. Before you voted?—A. Yes, sir.

Q. Did you vote while in the house?—A. I did not.

Q. Did you go out of the house after signing the affidavit and deposit your ballot through the window?—A. I did.

Q. To what political party did you belong on November 5, 1878?—A. The Republican party.

Q. Were not the tickets of the Republican party printed without the name of any candidate for Congress for the twentieth district upon them?—A. They were.

Q. Was not your ticket printed without the name of a candidate for Congress thereon?—A. It was.

Redirect:

Q. Was the name of a candidate for Congress on the ticket you voted?—A. Yes; when I voted it; I put one on.

Recross-examination:

Q. Did you write it upon your ticket?—A. I did not; I put a printed paster on it.

Q. Where did you put that printed paster?—A. On the head of the ticket, under the head of "for Congress."

Q. How was the name of the candidate on that paster spelled?—A. Seth H. Yocum.

Q. Did not that paster cover the words "for Congress"?—A. It did not.

GEORGE M. GARDNER.

CHANCEY BROCKWAY sworn.

Question. What is your name?—Answer. Chancey Brockway.

Q. How old are you?—A. Fifty-six years old the 16th day of this month.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. I was born in the township.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton Township on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence and there being no proof that the ballot has been lost or destroyed.)

A. Yes, sir; for Yocum.

Q. Do you remember the given name of Mr. Yocum?—A. No; I don't know as I do.

Cross-examined by C. H. McCAULEY, Esq.:

Q. To whom did you pay taxes?—A. I don't remember who the collector was.

Q. When did you pay personally?—A. I couldn't say.

Q. Where did you pay your last tax yourself?—A. I couldn't say.

Q. To what political party did you belong on November 5, 1878?—A. I was formerly a Republican until last fall, then I voted the Republican State ticket and the Greenback county and judiciary.

Q. Did you examine your ticket immediately before you cast it on November 5, 1878?—A. I did.

Q. Was not the name of Seth Yocum upon the ticket?—A. I couldn't say as to the initials now; I have forgot. I voted the regular Yocum ticket.

Q. Then you don't know whether the name of the candidate for Congress on your ticket was Seth Yocum, Seth Y. Yocum, or Seth A. Yocum?—A. I could not tell now; I could have told then.

Redirect :

Q. Have you real and personal property in Horton Township, and had you for two years past or more such property, which was assessed with State or county taxes?—A. The property formerly was assessed to C. Brockway & Son. It was always assessed to me previous to 1870, but now to C. Brockway & Son.

Q. Have the taxes assessed on that property been regularly paid?—A. Why, yes.

Q. Have you any personal property of your own, individually, that is assessed?—A. I think not.

Q. What is your occupation?—A. Lumbering, about the most.

Q. Are you assessed with an occupation tax?—A. I could not answer that, not paying any attention to the assessor's notice.

Q. Who is the C. Brockway of C. Brockway & Son?—A. It is myself and son.

Recross-examination :

Q. Did the assessor come to you in person and make an assessment?—A. I don't know as they have for a couple of years; we generally see them in the neighborhood.

Q. You have no distinct recollection of seeing the assessor yourself make the assessment?—A. No, sir.

CHANCEY BROCKWAY.

FRED. B. BURCHFIELD sworn.

Question. What is your name?—Answer. Fred. B. Burchfield.

Q. How old are you?—A. Twenty-three years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. I reside in Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. Sixteen years.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. I have not myself.

Q. Was such State or county tax paid for you within said two years by any one?—A. Yes, sir.

Q. By whom?—A. Father paid it.

Q. What is your father's name?—A. Thomas Burchfield.

Q. When and from whom did you first learn that your father had paid your tax?—A. About a year ago, from Mr. Clinton.

Q. What Mr. Clinton?—A. George Clinton.

Q. What was he?—A. He was tax collector.

Q. How came you to find out from him that your father had paid your tax?—A. He was in Short's store, and I told him I thought I had better pay my tax, and he said father had paid it.

(Counsel for contestant object to any testimony as to what Mr. Clinton said as incompetent and irrelevant.)

Q. Did you accept and adopt that payment more than one month before the 5th of November, 1878, as made for you?

(Objected to by counsel for contestant as leading the witness.)

A. I did.

Q. Did you vote for any person for member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; Seth H. Yocum.

Cross-examined by C. H. McCAULEY, Esq.:

Q. When were you born?—A. In 1855.

Q. What day and month?—A. April 15.

Q. How do you know?—A. I was there to see.

Q. Is that the only way you know?—A. No, sir.

Q. Do you remember it?—A. No, sir.

Q. Is not all you know about it simply hearsay?—A. It is.

Q. That is the only way you have of knowing, is it not?—A. Yes, sir; what I have been told.

Q. Were you ever assessed prior to November, 1878?—A. Yes, sir.

Q. When?—A. Last spring.

Q. Where?—A. It was in the road in Horton Township.

Q. By whom?—A. Mr. Rudolph.

Q. Was the tax you have testified to as having been paid by your father based upon that assessment?—A. It was not.

Q. Upon what assessment was it based?—A. The assessment of 1877.

Q. Where was the assessment of 1877 made?—A. At Mr. Hipple's.

Q. By whom?—A. George Clinton.

Q. What were you assessed with?—A. Occupation.

Q. When was it?—A. I don't know the exact day.

Q. About when?—A. It was in the fall of 1877.

Q. Was it a registry assessment?—A. I do not know.

Q. Did you see the book?—A. Yes, sir.

Q. What kind of a book was it?—A. It was a registry book, as near as I could get at it.

Q. Did you pay your father the tax he paid Clinton?—A. Yes, sir.

Q. When?—A. About a week after he paid the tax.

Q. How?—A. In money.

Q. Where?—A. At home.

Q. Do you live with your father?—A. No, sir.

Q. Did you then?—A. No, sir.

Q. How much did you give your father?—A. Thirty-two cents.

Q. Who was present?—A. Nobody, as I mind.

Q. Have you had a talk with your father in regard to the tax since November, 1878?—A. I have not.

Q. Did you have any talk with him about this tax on your vote November 5, 1878, or what your testimony would be before this commission at any time before this?—A. I did not.

Q. Did you examine your ticket immediately before you cast it on November 5, 1878?—A. I didn't.

Q. Was not the name of Seth Yocum printed on that ticket?—A. No, sir.

Q. Are you a son of Thomas Burchfield?—A. I am.

Q. Are you a brother of Herbert Burchfield?—A. Yes, sir.

Q. Where do you work?—A. At Brockport.

Q. For whom?—A. Short & Horton.

Q. Did you get a tax receipt from your father for the tax paid by him?—A. I did not.

Q. Have you had any talk with anybody in regard to your testimony before this commission?—A. I have not.

Redirect:

Q. Did you examine your ticket at any time before you voted it the 5th of November, 1878?—A. I did.

Q. Did it leave your hands after you had examined it before you voted it?—A. It did not.

Q. From whom did you hear that you were born in 1855?—A. My father and mother.

FRED. B. BURCHFIELD.

HERBERT C. BURCHFIELD sworn.

Question. What is your name?—Answer. Herbert C. Burchfield.

Q. How old are you?—A. Twenty-nine years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. Ever since it was a township.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before November 5, 1878?—A. I have not paid a tax myself, but it was paid by Thomas Burchfield, my father, for me.

Q. Did you accept and adopt that payment more than one month before November 5, 1878?

(Objected to by counsel for contestant as leading the witness.)

A. Yes; I did.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; for Seth H. Yocum.

Q. Do you know H. B. Shons?—A. I do.

Q. Were you at the polling place in Horton district on November 5, 1878, when Mr. Shons voted?—A. I don't know as I can answer that question. I don't remember as I saw Mr. Shons vote.

Q. Did you give Mr. Shons a ticket?—A. I cannot tell whether I gave Mr. Shons a ticket or not.

Q. Do you know N. M. Brockway?—A. Yes, sir.

Q. Were you at the polling place in Horton district on November 5, 1878, when N. M. Brockway voted?—A. I was.

Q. Did you give him a ticket?—A. I did.

Q. Whose name was upon the ticket you gave him as candidate for the office of member of Congress?

(Objected to by counsel for contestant as incompetent, the ballot he gave Mr. Brockway being the best evidence, and there being no proof that that ballot has been lost or destroyed; second, because there is no evidence by this witness that the ballot he gave Mr. Brockway was polled at Horton election November 5, 1878.)

A. Seth H. Yocum.

Q. Did you see Mr. Brockway vote?—A. I stood within about ten feet of Mr. Brockway when he voted, and I think I could see him distinctly.

Q. How long after you gave him the ticket did he vote?—A. I should judge it was about a minute.

Q. Did he vote the same ticket you gave him?—A. As to that I would not be positive, but I think he did.

Cross-examined by C. H. McCauley, Esq.:

Q. Did you pay your father the tax he paid Clinton?—A. I was working for him at the time, and he was at the Brockport store; Mr. Clinton was there collecting tax, and inquired if I was at home, as he had a tax against me of sixty-nine cents; Mr. Thomas Burchfield told him that he would pay it and settle with me for it.

Q. How do you know Clinton was there?—A. I have Thomas Burchfield's word for it.

Q. How do you know Thomas Burchfield told him that he would pay it and settle with you for it?—A. I have his word for that also.

Q. How do you know that Clinton was there collecting tax at that time?—A. Thomas Burchfield told me that he was.

Q. How do you know that George W. Clinton inquired for you?—A. Mr. Thomas Burchfield told me.

Q. Then all you know about Mr. Clinton being there inquiring for you, and the conversation between Thomas Burchfield and George W. Clinton, is what your father, Thomas Burchfield, told you?—A. Yes.

Q. Don't you know that you have been sworn to state facts and not hearsay?—A. I do; I consider that a fact.

Q. Do you know as a fact that the conversation you have testified to between Thomas Burchfield and George W. Clinton took place?—A. I have the word of both men for it; yes.

Q. How do you know it as a fact?—A. Because I have never caught either of the gentlemen named in a lie.

Q. Can you testify that a conversation occurred in fact that you did not hear?—A. I think I can when I am acquainted with both gentlemen.

Q. Then you can swear that a conversation did occur in fact which you never heard?—A. I think that I can when I know the parties to be reliable.

Q. Now did you pay the tax to your father that he paid Clinton?—A. I did.

Q. How?—A. I was working for him at the time, and he owed me, and I told him to charge it on the book against me; and we have never had a settlement, and he owes me from forty to sixty dollars, or somewhere in that neighborhood.

Q. When?—A. It was some time in 1877; I don't just remember when.

Q. Where?—A. I think we were in the house at the time.

Q. Who was present?—A. I don't know as there was any one present, but there might have been.

Q. Was not one of your brothers present?—A. I don't know; it is my impression they were not.

Q. Was not your mother present?—A. I couldn't say as to that.

Q. Did you and your father have any other conversation in regard to that tax at that time?—A. We might have had and we might not; I don't remember.

Q. The foregoing is all you can remember of that conversation, is it?—A. It is all that I distinctly remember.

Q. What is your recollection as to the balance of the conversation?—A. I cannot answer that.

Q. Why?—A. I don't know as we had any more conversation in regard to that matter.

Q. Did he charge it to you?—A. I think he did.

Q. When?—A. I suppose it was about the time the conversation took place.

Q. Did you see him charge it?—A. No.

Q. Did you see the charge after it was made?—A. No.

Q. Do you state that he charged it, as a fact?—A. He told me that he would charge it or did charge it, I don't remember which.

Q. Do you state as a fact that he charged it?—A. I cannot make any other answer than what I have.

Q. Then you do not know whether he charged it or not, do you?—A. I am not positive on the matter, but I think he did.

Q. Is not all you know about it hearsay?—A. I have Thomas Burchfield's word for that.

Q. How did you adopt payment of that tax?—A. I should think it was adopted when I told him to charge it to me.

Q. How did you accept it?—A. I think it was accepted by having it charged.

Q. Was that the only way?—A. Yes.

Q. Then it was charged, was it not?—A. I say that I told Thomas Burchfield to charge it to me, and he said that he would.

Q. Then, if it was not charged, it was not accepted, was it?—A. If it was not charged, it was not accepted.

Q. Did you credit your father with the amount of that tax?—A. I think I did.

Q. Don't you know that you did?—A. If I had my book, I could tell you in a few minutes whether I had credited it or not.

The further taking of testimony adjourned until Friday, March 7, 1879, at 8.30 o'clock a. m., by consent of counsel for contestant and contestee.

Q. Do you keep an account with your father in a regular account book?—A. No.

Q. Don't you know that that tax has never been credited to your father by you in any book?—A. No.

Q. Is it not a fact that you never told your father to charge that tax until after November 5, 1878?—A. It is not.

Q. Have you and your father ever settled?—A. No.

Q. Then you have not in fact paid him that tax, have you?—A. I have.

Q. How do you mean you have paid it?—A. In work.

Q. How long were you at the election house November 5, 1878?—A. I was there most of the day.

Q. Did you see Warren Moshier there November 5, 1878?—A. I think I did.

Q. In the house?—A. I couldn't say whether he was in the house or not.

Q. Did you see him attempt to draw his coat, and hear him offer to fight?—A. No.

Q. Did you keep a poll-list November 5, 1878, in Horton election house?—A. Part of the time.

Q. Could not N. M. Brockway have voted another ticket than the one you gave him, and you not know it?—A. Yes.

Q. Did you examine the ticket you voted immediately before you voted it, November 5, 1878?—A. About three minutes before.

Q. Was not the name of Seth Y. Yocum or Seth Yocum upon that ticket?—A. No.

Q. Were you not a Greenbacker in November, 1878?—A. I was.

Q. Did you not take an active part in the canvass in the fall of 1878?—A. Yes.

Q. Did you not electioneer on November 5, 1878?—A. I think not. I got done electioneering before election day.

Q. Did you not give out tickets on that day, November 5, 1878?—A. Yes.

Redirect:

Q. Did you keep an account with your father, Thomas Burchfield, in a book?—A. Yes.

Q. What do you mean by poll-list as referred to in your cross-examination?—A. I mean a book of the list of voters arranged in alphabetical form.

Q. Was this poll-list private property or did it belong to the election board?—A. It was private property.

Recross-examined:

Q. Where did you get that poll-book?—A. I got it from Warren Horton.

Q. Where is it now?—A. I don't know.

Q. Did you and Warren H. Horton have a conversation in regard to that poll-book?

(Objected to by counsel for contestee as incompetent, irrelevant, and not cross-examination.)

A. Yes.

H. C. BURCHFIELD.

PEARL FIELDS sworn.

Question. What is your name?—A. Pearl Fields.

Q. What is your age?—A. I am twenty-two years old the 4th day of next November.

Q. Where do you live?—A. At Brockport, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Mostly there ever since I was born.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Yes; for Seth H. Yocum.

Cross-examined by C. H. McCAULEY, Esq.:

Q. When were you born?—A. I cannot tell; but it is twenty-two years ago the 4th day of next November.

Q. How do you know?—A. I was there.

Q. Who did you see there?—A. My mother and father.

Q. Do you remember it?—A. No; I don't.

Q. Then you don't know when you was born, do you?—A. No; not exactly; but my father and mother have always told me so.

Q. Then all you know about it is what you have heard from others, is it not?—A. Yes, from my father and mother.

Q. Did you examine your ticket immediately before you cast it November 5, 1878?—A. Yes, sir.

Q. Was not the name of Seth Yocum upon it?—A. It was.

Q. Where?—A. I forget now.

Q. Was that your first vote?—A. Yes.

Q. Were you challenged November 5, 1878?—A. Yes.

Q. Were you sworn?—A. No, sir.

Q. Did you subscribe an affidavit?—A. No; I didn't.

Redirect:

Q. You were asked on cross-examination whether the name of Seth Yocum was on your ticket. Was there any middle letter; and if so, what was it?—A. Yes; Seth H. Yocum.

Q. When you were challenged was any witness called?—A. Yes.

Q. Who?—A. My father.

Q. What political party did your father belong to?—A. Democratic. (Objected to by counsel for contestant as incompetent and irrelevant.)

Recross-examined:

Q. Was your father sworn as a witness for you?—A. I think he was; he went up and told them, or swore that I was of age.

Q. Did you hear him tell them—the board?—A. Yes.

Q. Did he subscribe an affidavit?—A. I didn't see him.

Q. Don't you know that the name on your ticket for Congress was Seth Y. Yocum?—A. No, sir.

Q. Have you had any conversation with any one in regard to the name of the candidate for Congress at any time prior to this?—A. No; only when I went to vote.

Q. Who was that conversation with?—A. Scott Alden.

Q. What was that about?—A. He wanted to know if I was going to vote for Yocum.

Q. Did you not have a conversation with some one about the name of the candidate for Congress on your ticket last night or this morning?—A. Not that I remember of—not about Yocum.

Q. Of whom was it about?—A. I don't know. I am not going to bother much longer with you.

Q. Who was that talk with?—A. I am not going to answer any more such questions.

Q. Then you had a talk, did you?—A. I am not going to answer any more questions.

Q. Do you refuse to be further examined?—A. Yes.

(The counsel for contestant objects to the reading of all the foregoing testimony of the witness, Pearl Fields, now on the stand, for the reason that he refuses to be cross-examined.)

The counsel for the contestee requests the commission to record the fact that before the witness finally refused to answer, the counsel for contestee requested the witness to answer all questions fully and truly.)

his
PEARL + FIELDS.
mark.

Witness:

H. M. POWERS,
Notary Public.

WILLIAM RINEHULS sworn.

Question. What is your name?—Answer. William Rinehuls.

Q. How old are you?—A. I will be twenty-eight the 30th day of next April; at least, that is what my mother and father tell me.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. In what township do you live?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. I think about six years.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton Township on the 5th day of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I voted the Greenback ticket right through.

Cross-examined by C. H. McCAULEY, Esq.:

Q. When did you pay tax?—A. I have paid taxes right along ever since I have been on Toby.

Q. To whom?—A. I paid taxes last year to Dennis Phalen.

Q. Was that the last tax you paid?—A. No, sir.

Q. To whom did you pay the last State or county tax?—A. To Thomas Burchfield.

Q. When?—A. I couldn't say exactly as to the day.

Q. Where?—A. I think it was in Horton's store.

Q. How?—A. I paid the money, same as any man would pay.

Q. Did you take a receipt?—A. Yes, sir.

Q. Were you assessed; if so, by whom?—A. Yes; by Walter Rudolph.

Q. Did you see him in person?—A. Yes, sir.

Q. Was the tax you paid Burchfield based upon the assessment made by Rudolph?—A. I think it was, but would not say positive.

Q. Did you examine your ticket immediately before you cast it, November 5, 1878?—A. Yes, sir.

Q. Was the name of Seth Yocum upon it?—A. It was—the Yocum that ran upon the Greenback ticket.

Q. Do you know whether it was Seth A. Yocum or Seth Y. Yocum?

Q. I never heard of but the one man; no, sir; I couldn't say.

Q. It might have been either of those names, might it not?—A. It might have been; it was one of them, of course.

Redirect:

Q. Was the person you voted for for Congress, November 5, 1878, the regular nominee of the Greenback party?—A. I suppose he was.

his
WILLIAM + RINEHULS.
mark.

Witness:

H. M. POWERS,
Notary Public.

JAMES MALOY sworn.

Question. What is your name ?—Answer. James Maloy.

Q. How old are you ?—A. Forty-two years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania ?—A. Yes, sir.

Q. Where do you reside ?—A. At Keystone Mills, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township ?—A. Since about the last of November, 1876.

Q. Have you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878 ?—A. Yes, sir.

Q. Did you vote for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district November 5, 1878 ; and, if so, for whom did you vote for said office ?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Yes, sir ; I think I voted for Yocum.

Q. Do you remember his given name ?—A. I think it was C. H. Yocum, or Seth H. Yocum ; I am not positive.

Cross-examined by C. H. McCauley, Esq. :

Q. To what political party did you belong in the fall of 1878 ?—A. The Republican party.

Q. Were not the Republican tickets printed without the name of a candidate for member of Congress upon them ?—A. I believe they were.

Q. To whom did you pay tax ?—A. I think to Mr. Burchfield.

Q. When ?—A. I cannot say positive when ; some time last summer.

Q. Where ?—A. I think I left the money at Short and Horton's store.

Q. With whom ?—A. With Alonzo Horton.

Q. Was he a brother of Warren H. Horton ?—A. Yes.

Q. Did you get a receipt ?—A. I think I did.

Q. When ?—A. I cannot say positive ; it was some two or three weeks after I left the money there.

Q. Can you fix a date ?—A. No ; I cannot.

Q. Was it after October 5, 1878 ?—A. I could not say.

Q. Who gave you the receipt ?—A. Alonzo Horton.

Q. Where were you born ?—A. In Maine.

Redirect :

Q. Have you property in the State of Pennsylvania which is assessed with State and county taxes annually ?—A. I have a house and two lots in Brockwayville, Snyder Township, Jefferson County, upon which I pay State and county tax, and all other taxes assessed against it.

Q. Did you pay State and county taxes upon that property within two years and more than one month before November 5, 1878 ?—A. Yes, sir ; I did.

Q. To whom did you pay it ?—A. To Thomas Hutchinson.

Q. Do you know when you paid it ?—A. I cannot say positive.

Q. Do you own property in this township upon which you pay taxes ?—A. No, sir.

Q. Are you a married man ?—A. Yes, sir.

Q. Does your family reside in this township ?—A. Yes, sir.

Q. Were you with your family keeping house in Horton Township,

this county, before November 5, 1878; and, if so, how long?—A Since about December 1st, 1876.

JAMES MALOY.

WILMER D. MOYER sworn.

Question. What is your name?—Answer. Wilmer D. Moyer.

Q. How old are you?—A. Twenty-nine years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—Answer. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Four years.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on November 5, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; for Seth H. Yocum.

Cross-examined:

Q. To whom did you pay tax?—A. To Thomas Burchfield.

Q. Was it a State or county tax?—A. It was.

Q. When did you pay it?—A. I am not able to give the day. I did not take a receipt.

Q. About when?—A. About four weeks ago.

Q. Did you examine your ticket immediately before you voted it on November 5, 1878?—A. I did.

Q. Was not the name of Seth Y. Yocum or Seth A. Yocum upon it?—A. No, sir.

Q. Was not the name of Seth Yocum upon it?—A. No, sir.

Q. Have you a distinct recollection of how that name was written or printed upon your ticket?—A. I haven't.

Q. You cannot recollect distinctly as to the middle letter of the name of the candidate for Congress upon your ticket, can you?—A. I can.

Q. How do you recollect it?—A. I recollect it because I read it before I voted it.

Q. How was the name spelled?—A. I am not going to make an effort to spell it, for fear I will make a mistake. I know that I voted for Seth H. Yocum because I read the name Seth H. Yocum on my ticket.

Q. If you read the name, and have a distinct recollection that it was Seth H. Yocum, why can you not spell it?—A. Because I haven't paid much attention to it, and am not much of a speller, and am liable to make a mistake in spelling.

Redirect:

Q. Did you at any time within two years and more than one month before November 5, 1878, pay a State or county tax; and, if so, to whom?—A. Yes, sir; to Daniel Phalen.

Q. Did you pay a State or county tax to any other person?—A. I believe not.

Q. Did you pay any tax to George Clinton?—A. Yes, sir.

Q. When?—A. I cannot remember. I have the receipt, but haven't it with me, but I paid it in the fall of 1877.

WILMER D. MOYER.

J. D. TRUMBULL sworn.

Question. What is your name?—Answer. J. D. Trumbull.

Q. How old are you?—A. Twenty-six years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I be.

Q. Where do you reside?—A. At Brandy Camp, Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Four years.

Q. Have you paid a State or county tax within two years that was assessed more than two months and paid more than one month before the 5th of November, 1878?—A. I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton Township on the 5th day of November, 1878, and if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; Seth H. Yocum.

Cross-examined:

Q. To whom did you pay a State or county tax?—A. Daniel Phalen.

Q. When?—A. Two years ago last fall, at the time of the election.

Q. Where?—A. At the house of the election.

Q. Was it in the election house at the election November, 1876?—A. I made a mistake in the year. I meant in the fall of 1877.

Q. Was not Daniel Phalen collector for the year 1875 or 1876?—A. I couldn't say as to that.

Q. Wasn't that the Presidential election that you paid him the tax?—A. It was not.

Q. Did you examine your ticket immediately before you voted it November 5, 1878?—A. I examined it enough to know that Seth H. Yocum's name was on it.

Q. Upon what part of the ticket you voted was the name of Seth H. Yocum?—A. I couldn't say now just what part of the ticket it was on.

Q. Was there anything upon that ticket that indicated the office for which Mr. Yocum was running?—A. It read like this: "For Congressman, Seth H. Yocum."

Q. Didn't it say for the House of Representatives?—A. It did not.

Q. You are positive it said "for Congressman"?—A. I be.

Q. To what political party did you belong in November, 1878?—A. I didn't really belong to any, but I always voted the Democratic ticket until last fall.

Q. What party ticket did you vote last fall?—A. Democratic and Greenback.

Q. Is not your recollection of the name upon that ticket from newspaper announcements or general conversation with other parties instead of from the ticket itself?—A. The name was on the ticket Seth H. Yocum. No, sir.

Q. Have you had any conversation in regard to the name of the candidate for Congress upon your ticket since you came here to-day?—A. I have not.

Q. Didn't you tell some one to-day the name of the candidate for Congress upon your ticket and talk about it with that person?—A. With no particular one; we were talking about Seth H. Yocum.

Q. With whom?—A. I don't know as I could name them all; there were several different ones.

Q. Name all you can.—A. Stewart McIntosh, W. P. Eggleston, Captain James Woodward, Mr. Rathbon; I don't know as I can name any more.

Q. Was there anything said about the name being Seth Yocum, Seth Y. Yocum, or Seth A. Yocum?—A. There was not, to my recollection.

Redirect:

Q. Have you paid State or county tax to any other collector besides Phalen?—A. I have.

Q. When, and to whom?—A. I paid it last fall in Cuneo's store, to Thomas Burchfield.

Q. Was it more than a month before the November election of 1878?—A. I don't remember.

Q. Was it before or after election?—A. I think it was before election.

Q. Did Mr. Rathbon say anything to you as to what your testimony should be in this case?—A. He did not.

JOHN D. TRUMBULL.

WILLIAM. P. EGLESTON sworn.

Question. What is your name?—Answer. William. P. Eggleston.

Q. How old are you?—A. Twenty-four years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I be.

Q. In what township do you live?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. All my life time.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. I have.

Q. To whom, when, and where?—A. George Clinton. I couldn't tell just when; it was a year ago this winter. I couldn't say just where.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district November 5, 1878; and, if so, for whom did you vote for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot had been lost or destroyed.)

A. I did, for Seth H. Yocum.

Cross-examined:

Q. Did you examine your ticket immediately before you cast it, November 5, 1878?—A. I did.

Q. Have you talked with any one in regard to the name of the candidate for Congress?—A. No.

Q. Did you not talk with Mr. Trumbull, Mr. Woodward, and others in regard to it?—A. Not to my recollection.

Q. Did you talk to any of the witnesses in regard to that name?—A. I don't know whether I did or not.

Q. Was not the name on your ticket Seth Y. Yocum?—A. No, sir; it was not.

Q. Was not the name on your ticket Seth Yocum?—A. No, sir.

Q. Have you talked with any one about spelling the name of Yocum?
—A. Yes, sir.

Q. When?—A. To-day, I believe.

R. What was that conversation?

(Objected to by counsel as irrelevant and not cross-examination.)

A. I couldn't tell now what the conversation was; we were talking about how the name was spelled.

WILLIAM P. EGGLESTON.

R. S. McINTOSH sworn:

Q. What is your name?—R. S. McIntosh.

Q. How old are you?—A. Twenty-eight years old.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Twenty-eight years.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th day of November, 1878; and, if so, for whom did you vote?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; for Seth H. Yocum.

Cross-examined:

Q. To what political party did you belong in November, 1878?—A. The Republican party.

Q. Don't you know that the Republican tickets of November 5, 1878, were printed without the name of a candidate for Congress upon them?
—A. I do.

Q. Did you vote a Republican ticket?—A. Partly.

Q. Did you vote one of the tickets thus printed?—A. I did not.

Q. What party ticket did you vote?—A. Greenback and Republican.

Q. Was it all a printed ticket?—A. The pasters were printed that I put on.

Q. Did you erase any names before putting on your paster?—A. I did.

Q. Have you talked with any one with regard to the name of the candidate for Congress?—A. I was talking about it.

Q. Were you talking about whether or not the name of the candidate was Seth Y. Yocum, Seth A. Yocum, or Seth H. Yocum?—A. I did.

Q. With whom?—A. W. P. Eggleston, J. D. Trumbull, William Moyer.

Q. Is not your recollection of the initials of the candidate based upon that conversation?—A. It is not.

Q. Have you a distinct recollection as to the name of the candidate for Congress on the ticket you voted?—A. I have.

Q. To whom did you pay tax?—A. Mr. George Clinton.

Q. When?—A. Last summer, in haying, at my father's house.

R. S. McINTOSH.

A. D. ALDEN sworn.

Question. What is your name?—Answer. A. D. Alden.

Q. Are you the man sometimes called De Witt Alden?—A. Yes, sir.

Q. How old are you?—A. Thirty years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. A little more than eight years.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on November 5, 1878; and, if so, for whom did you vote?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. I did; for Seth H. Yocum.

Q. Did you attend the general election held in Horton election district on the 5th day of November, 1878, in any official capacity; and, if so, in what official capacity?—A. I did; in the official capacity of clerk.

Q. Was there on that day, during the time the polls were open, or while the votes were being counted, any unusual amount of loud talking or boisterous conduct in or about the polling place?

(Objected to by counsel for contestant as being leading.)

A. There was not.

Q. Was there on that day any disturbance or quarreling in or about the polling place that interfered with the board in the performance of their duties or tended to prevent a full poll of all the legal votes offered or a fair count?

(Objected to by counsel for contestant as being leading.)

A. There was not, that I know of.

Q. Were all the members of the board sworn to the performance of their duties in the presence of each other before the polls were opened?

(Objected to by counsel for contestant as incompetent, 1st, because the several oaths of the members of the board is the best evidence as to how and to what they were sworn, and there being no proof that the said oaths are lost or destroyed; second, as leading.)

A. They were.

Cross-examined by C. H. McCAULY, Esq., counsel for contestant:

Q. By whom were the members of the board sworn?—A. The judge was sworn by Esquire McAllister; the inspectors by the judge of election; I don't recollect who the clerks were sworn by.

Q. Don't you know that Charles A. Chamberlain was not sworn at all?—A. I do not.

Q. Was he sworn?—A. He was.

Q. Were he and you sworn at the same time?—A. We were.

Q. Were not clerks and inspectors sworn at the same time?—A. They were not.

Q. Were the two inspectors sworn at the same time?—A. They were.

Q. Did you see all the members of the board sworn?—A. I did.

Q. Were all of them present at the three several times the board was being sworn?—A. They were.

Q. Were there written or printed or partly written and partly printed oaths of the election board made out, subscribed by the several affiants, and attested by the officer administering the several oaths?—A. There was.

Q. What was done with them?—A. They were delivered to Mr. H. Horton, the returning judge.

Q. Were they sealed up in an envelope?—A. They were.

Q. How many written or printed or partly written and partly printed affidavits were there made out and signed by voters who voted November 5, 1878, in Horton election district?—A. I cannot tell.

Q. Don't you know that B. H. Butler was the only man who signed an affidavit as to his qualification or right to vote there that day?—A. I do not; I don't recollect.

Q. Don't you think that was the only one?—A. I do not know whether he signed an affidavit at all or not; I don't recollect.

Q. Don't you know that there were no affidavits signed by voters there that day?—A. I don't recollect whether there was or was not.

Q. What is your impression?—A. I don't recollect anything about it; don't know whether there were any signers or not.

Q. What did you do with all the affidavits that were made, if there were any?—A. I think they were delivered to the return judge.

Q. Were they sealed up in an envelope?—A. They were, if there were any.

Q. Did you see Warren Moshier in the election-house during that day?—A. I am not positive.

Q. To whom did you pay taxes?—A. Thomas Burchfield.

Q. When?—A. October 2, 1878.

Q. Where?—A. At Short & Horton's store, in Horton Township.

Q. How?—A. In money.

Q. Personally?—A. Yes, sir.

Q. Did you get the receipt at the time?—A. I did.

Q. When, where, and by whom were you assessed?—A. Some time in the winter of 1877, I believe, in Horton Township, in Short & Horton's mill, by G. W. Clinton, I think.

Q. What is your business?—A. Laborer.

Q. For whom did you work in the fall of 1878?—A. For Short & Horton, except about a month that I worked for Oyster & Short.

Q. Were you not a Greenbacker in November, 1878?—A. I was.

Q. Were you not busily engaged as clerk of the election November 5, 1878?—A. I was busily engaged part of the time.

Q. Were you not so busily engaged as not to notice as to disturbances?—A. I think not. I think if there had been any disturbances around in the house I think I should have seen it.

Q. If there had been any loud talk there you would have heard it, would you not?—A. I think I would.

Q. Then you swear that there was no loud talk or disturbance there in the election-house that day, do you?—A. There was not that I heard.

Q. Then you swear that there was no talking there above an ordinary tone of voice, do you?—A. I do not; there might have been a little louder whispering—a little louder than the ordinary tone. I don't think there was any louder talking than is usual on such occasions.

Q. Is it not always very quiet and peaceable around Horton election-house on election day?—A. It is generally peaceable there; it is quiet, except loud talking sometimes; there is no quarreling there.

Q. How many elections have you attended during the whole of election

day?—A. I have been there four whole election days, and the greater part of several other election days.

Q. Did you hear Daniel Phalen talk loud during that day?—A. I did not hear him talk very loud.

Q. Were you out of the house during the day?—A. I was several times, but for only a few minutes at a time.

Q. Did you talk with any person about their voting, either in or out of the house that day?—A. I did not.

Q. Did you see John McAllister there?—A. I did.

Q. He didn't talk loud, did he?—A. He didn't talk very loud; he got a litte excited on account of his vote being challenged.

Q. Did you ever attend any elections a whole day in any other township than Horton?—A. I did not.

Redirect:

Q. Was it Esquire McAllister who swore the judge of election or was it some other person?

(Objected to by counsel for contestant as leading and as incompetent, because the jurat to the oath and the oath is the best evidence, and there is no proof that it has been lost or destroyed.)

A. I think it was Esquire McAllister, but I may be mistaken; he has generally swore the judge.

A. D. ALDEN.

HENRY W. DOUD sworn.

Question. What is your name?—Answer. Henry W. Doud.

Q. How old are you?—A. Forty-seven years old; I was born in 1831.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Where do you reside?—A. In Horton Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Two years where I live now; in Horton Township, seven or eight years.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th day of November, 1878?—A. Yes, sir.

Q. To whom did you pay State or county tax?—A. To Thomas Burchfield.

Q. When?—A. In the year 1878, thirty days or more before election; I paid it on September 29, 1878, and took a receipt.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district on the 5th of November, 1878; and, if so, for whom did you vote for said office?

(Objected to by the counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Yes, sir; for Yocum.

Q. Do you remember his given name?—A. I do not exactly.

Q. To what political party did you belong November 5, 1878?—A. I voted the Greenback ticket.

Cross-examined:

Q. Are you a married man?—A. Yes, sir.

Q. Do you keep house?—A. Yes, sir.

Q. Where?—A. In Horton Township.

Q. How long?—A. Seven or eight years.

Q. How did you pay your tax?—A. I paid it in money.

Q. Where?—A. I paid it in the road, to Thomas Burchfield.

Q. Did you examine your ticket immediately before you cast it November 5, 1878?—A. Yes, sir; but not closely.

Q. Was not the name of Seth Y. Yocum upon that ticket?—A. I think it was Seth Yocum.

Redirect:

Q. Was there or was there not any middle letter in Mr. Yocum's name on your ticket?—A. I think there was a middle letter.

Q. Do you think you would remember it if you heard it?—A. I think I would.

Q. Was it or was it not Seth H. Yocum on your ticket?

(Objected to by counsel for contestant, the two last questions when taken together as leading, and the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. That seems to sound more like it.

Recross-examined:

Q. Wasn't the name on that ticket Seth A. Yocum?—A. I couldn't just tell exactly.

Q. Might it not have been Seth A. Yocum and you not now remember?—A. It might have been.

Q. Isn't your recollection of the name on that ticket based upon information you obtained since you voted it?—A. Yes, sir; I didn't pay very much attention to the ticket; I voted the Greenback ticket.

Q. Then you cannot swear whether it was Seth H. Yocum or Seth A. Yocum?—A. No, sir.

HENRY W. DOUD.

J. L. TAYLOR sworn.

Question. What is your name?—Answer. J. L. Taylor.

Q. What is your age?—A. Forty-five years old the 4th day of next June.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where do you reside?—A. Horton Township, Elk County, Pennsylvania.

Q. How long have you lived in Horton Township?—A. Since I was fifteen years old, to the best of my recollection.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before the 5th of November, 1878?—A. Yes, sir.

Q. To whom and when did you pay State or county tax?—A. I cannot tell to whom I paid the tax, but I know I have paid it. I always pay my tax when it comes along and pay no more attention to it. I have paid State and county tax in 1877 and 1878.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the general election held in Horton district November 5, 1878; if so, for whom did you vote for for said office?

(Objected to by counsel for contestant as incompetent, the ballot itself being the best evidence, and there being no proof that the ballot has been lost or destroyed.)

A. Yes, sir; for Seth H. Yocum.

J. L. TAYLOR.

STATE OF PENNSYLVANIA,
Elk County, ss :

I, H. M. Powers, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses.

Witness my hand and notarial seal this 14th day of April, 1879.

[SEAL.]

H. M. POWERS,
Notary Public.

Depositions of witnesses produced, sworn, and examined at the office of George A. Rathbon, esq., in the township of Ridgway, county of Elk, and State of Pennsylvania, before me, H. M. Powers, a notary public in and for said county and State, on the 13th, 14th, and 15th days of March, A. D. 1879, in a certain contest now pending in the House of Representatives of the Forty-sixth Congress of the United States of America, concerning the position of Representative for the twentieth Congressional district of the State of Pennsylvania, wherein Andrew G. Curtin is contestant and Seth H. Yocum is contestee, on the part of the contestee.

George A. Rathbon, esq., for contestee, and C. H. McCauley, esq., for contestant, present.

JAMES S. CHAMPION, produced, sworn, and examined on the part of the contestee, deposeeth and saith :

Question. Did you vote at the general election held in Millstone Township on the 5th day of November, A. D. 1878 ?—Answer. I did.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at that election ?—A. I did.

Q. For whom did you vote for that office ?—A. Andrew G. Curtin.

Q. Did you make and subscribe a written or printed, or partly written and partly printed, affidavit of your qualifications as a voter ?—A. It was printed, and my name on the back ; I mean my ballot. I was not sworn, and did not sign an affidavit.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant :

Q. How long have you lived in Millstone Township ?—A. Thirty-five years.

Q. What office did you hold November 5, 1878 ?—A. Constable.

Q. How many years have you been constable of Millstone Township ?—A. This year will make twenty-one years.

Q. Do you own real estate in Millstone Township ?—A. I do.

Q. Were you assessed in 1878 ?—A. I was, and every year prior.

Q. By whom were you assessed in 1878 ?—A. By Jacob Schaffer.

Q. Was he the assessor for that year ?—A. He was.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month prior to November 5, 1878 ?—A. I have.

Q. Did you take a receipt ?—A. I didn't ; I was the collector myself.

Q. How many years have you been collector ?—A. About nineteen years.

Q. Have you settled up all your duplicates excepting the last one ?—A. I have ; and have receipts from the treasurer.

Q. Were you challenged November 5, 1878?—A. I was not.

Q. How long were you at the election house, November 5, 1878?—A. All day.

Q. Were the members of the board sworn?

(Objected to by counsel for contestee as incompetent and not cross-examination, the written oaths on file in the prothonotary's office being the best evidence, and there being no proof that they are lost or destroyed.)

A. They were.

Q. Were you born in this county?—A. I was born in Huntingdon County, Pennsylvania.

JAMES S. ^{his} + CHAMPION.
mark.

Witness:

H. M. POWERS,
Notary Public.

JOHN MILLER sworn.

Question. Did you vote at the general election held in Millstone Township November 5, 1878?—Answer. I did.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at that election?—A. I did.

Q. For whom did you vote for that office?—A. For Curtin.

Q. What was his given name?—A. I can't tell exactly.

Q. Did you make and subscribe a written or printed or partly written and partly printed affidavit as to your qualifications as a voter?—A. No, sir.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant:

Q. How long have you resided in Millstone Township?—A. I think two years next June.

Q. Were you ever assessed in Millstone Township?—A. Yes, sir. I think Jacob Schaffer and Mr. Blair assessed me.

Q. Was it two months before November 5, 1878?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

Q. Did you take a receipt?—A. I did.

(Paper shown witness, and asked is that the receipt, and he says yes. Receipt offered in evidence, of which the following is a correct copy, to wit:)

"MILLSTONE TOWNSHIP, *May the 11th, 1878.*

"To JOHN MILLER:

"DEAR SIR: The following bill of taxes has been placed in my hands for collection. Please call and settle the same within thirty days, and oblige yours truly,

"JAMES S. CHAMPION.

"County tax..... \$0.32

"State tax..... \$

"Amount..... \$

"Received paym't, July 9, 1878.

"JAMES CHAMPION,
"Collector."

(Objected to by counsel for contestee, for the reason that the notice and receipt are not signed by the same person, James S. Champion being the collector, and there being no evidence that James Champion was authorized to receive and receipt for the taxes.)

Q. To whom did you pay the tax above referred to?—A. James Champion.

Q. Was he the gentleman sworn here this morning?—A. Yes, sir.

Q. Have you paid any other State or county tax within two years, and at least sixty days prior to November 5, 1878?—A. Yes, sir.

Q. Where?—A. In Elder Township, Jefferson County, Pennsylvania.

Q. To whom?—A. To Joseph Wilson, collector.

Q. What is your age?—A. About twenty-seven years of age last January.

Q. Where were you born?—A. In Germany.

Q. When did you come to this country?—A. About twenty-five years ago.

Q. How long have you lived in Pennsylvania?—A. About eighteen years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir; I am.

Q. Were you challenged November 5, 1878?—A. No, sir.

Redirect:

Q. Were you ever naturalized?—A. I never have taken out any papers from the court since I was twenty-one years old.

Recross examined:

Q. Is your father living?—A. No, sir.

Q. When did he die?—A. About six years ago.

Q. Was he a voter?—A. He was.

Q. Was your father naturalized?—A. I think he was.

Q. Where did your father vote?—A. In Elder Township, Jefferson County, Pennsylvania.

Q. More than once?—A. Yes, sir.

Q. About how many times?—A. He had been a voter ever since I can remember, in Buffalo, New York, and in this State.

Q. Was the name of the candidate on your ticket for Congress Andrew G. Curtin?

(Objected to by counsel for contestee as leading.)

A. Yes, sir.

Re-redirect:

Q. Where was your father naturalized?—A. I cannot tell.

Q. When?—A. I cannot tell; all I know about his naturalization is what I have been told.

Q. What was your father's name?—A. Martin Miller.

JOHN MILLER.

CHARLES A. HARRAH sworn.

Question. Did you vote at the general election held in Millstone Township November 5, 1878?—A. Yes, sir.

Q. Did you vote for member of Congress at that election?—A. Yes, sir.

Q. For whom did you vote?—A. Andrew G. Curtin.

Q. Did you make and subscribe a written or printed or partly written and partly printed affidavit as to your qualifications as a voter?—A. No, sir.

Cross-examined by C. H. McCAULY, Esq., counsel for contestant:

Q. Where do you reside?—A. In Millstone Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About eighteen months.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

Q. To whom did you pay tax?—A. Martin Descher, collector of Heath Township, Jefferson County, Pennsylvania, and James Champion, collector of Millstone Township.

Q. How old are you?—A. Twenty-seven years old next June.

Q. Were you challenged November 5, 1878?—A. No, sir.

CHARLES ^{his} + A. HARRAH.
mark.

Witness:

H. M. POWERS,
Notary Public.

JOHN LAHHIRE sworn.

Question. Did you vote at the general election held in Spring Creek Township, Elk County, November 5, 1878?—Answer. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district of Pennsylvania at that election?—A. Yes, sir.

Q. For whom did you vote for that office?—A. Andrew G. Curtin.

Q. Did you make and subscribe a written or printed, or partly written and partly printed affidavit, as to your qualifications as a voter?—A. Yes, sir.

Q. Did you have any person there as a witness to your qualification?—A. Yes, sir.

Q. Who?—A. E. M. Rogers.

Q. Did he make and sign an affidavit?—A. He made an affidavit, but I could not qualify whether he signed it or not.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant:

Q. Where do you reside?—A. In Spring Creek Township, Elk County, Pennsylvania.

Q. How long?—A. Two years.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month prior to November 5, 1878?—A. Yes, sir.

Redirect:

Q. To whom did you pay the tax, and when?—A. To M. Shanley, June 13, 1878.

JOHN LAHHIRE.

JOHN E. BOYLE sworn.

Question. Did you vote at the general election held in Ridgway Township, Elk County, Pennsylvania, November 5, 1878?—Answer. Yes, sir.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at that election?—A. Yes, sir.

Q. For whom did you vote for that office?—A. Curtin.

Q. What was his given name?—A. Andrew G.

Q. Where were you born?—A. In Clarion County, Pennsylvania, I believe.

Q. In what year?—A. 1856.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. I never have paid any. I don't know unless my father paid it.

J. E. BOYLE.

A. J. PARKER sworn.

Question. Did you vote at the general election held in Ridgway Township, Elk County, Pennsylvania, November 5, 1878?—Answer. I did.

Q. Did you vote for member of Congress for the twentieth Congressional district of the State of Pennsylvania at that election?—A. I did.

Q. For whom did you vote?—A. Curtin, of course. I voted the straight Democratic ticket.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Where, when, and to whom did you pay it?—A. In Ridgway, December 5, 1877, to George D. Messenger, jr.

Q. How long have you lived in Ridgway Township?—A. Three years in May, 1879.

A. J. PARKER.

STATE OF PENNSYLVANIA,

Elk County, ss :

I, H. M. Powers, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses.

Witness my hand and notarial seal this 14th day of April, 1879.

[SEAL.]

H. M. POWERS, *Notary Public.*

Depositions of witnesses produced, sworn, and examined at the office of Geo. A. Rathbun, esq., in the township of Ridgway, county of Elk, and State of Pennsylvania, before me, H. M. Powers, a notary public in and for said county and State, on the 27th, 28th, and 29th days of March, A. D. 1879, in a certain contest now pending in the House of Representatives of the Forty-sixth Congress of the United States of America, concerning the position of Representative for the twentieth Congressional district of the State of Pennsylvania, wherein Andrew G. Curtin is contestant and Seth H. Yocum is contestee, on the part of the contestee.

Geo. A. Rathbun, esq., for contestee, and C. H. McCauley, esq., for contestant, present.

WILLIAM S. COLE, produced, affirmed, and examined on the part of the contestee, deposeth and saith :

Question. What is your name?—Answer. William S. Cole.

Q. How old are you?—A. Forty-three years old.

Q. Where do you reside?—A. In Highland Township.

Q. How long have you lived there?—A. I think three years, or thereabouts.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. I have always paid my taxes right along; I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Highland Township November 5, 1878?—A. I did.

Q. For whom did you vote for said office?—A. Yocum.

Q. Do you remember his given name?—A. I think it was Seth H. Yocum.

Q. Were you present at that election in any official position; and, if so, in what position?—A. I was judge of the election.

Q. Were the officers of the election duly sworn.

(Objected to by counsel for contestant as incompetent, the several oaths returned and on file being the best evidence and there being no proof of their loss or destruction.)

A. They were sworn.

Q. Who swore them?—A. I believe Mr. Hovencamp administered the oath to myself. I cannot say positive whether I or Mr. Hovencamp administered the oaths to the inspectors, but I swore the clerks.

Q. Who were the inspectors?—A. William Stubbs and F. V. Leroy.

Q. Who were the clerks?—A. H. O. Ellithorpe and Emmet Hovencamp, sr.

Q. What time were the polls opened?—A. They were opened in the forenoon.

Q. What time in the forenoon?—A. I am unable to say what hour.

Q. State the hour as near as you can?—A. Probably not before eight or nine o'clock.

Q. Did you make proclamation that the polls were opened when you were ready to receive votes?—A. There was no public announcement made that the polls were opened; but they all stood round and saw the board sworn, and understood that the polls were opened.

Q. How many persons, other than the board, were present when the board was sworn?—A. I could not say.

Q. Were there any other persons present besides the board when they were sworn?—A. There were.

Q. Who were present?—A. I cannot say exactly; but most of the inhabitants that live in that little settlement were in.

Q. What time did the polls close?—A. At seven o'clock.

Q. Where was the election held?—A. In the school-house.

Q. How were the votes received?—A. Through the window.

Q. Were the polls opened continuously during the day?—A. They were.

Q. Were all the members of the board present during the day?—A. They were, to the best of my knowledge.

Q. Who took the tickets at the window?—A. Frank Leroy.

Q. Were the tickets numbered before they were put into the box?—A. They were.

Q. Who numbered them?—A. William J. Stubbs.

Q. Who put them in the box?—A. William J. Stubbs.

Q. Did the board have a registry list of the voters?—A. I believe they did.

Q. Who kept that?—A. The clerks.

Q. Were the names of the voters checked off from the registry list as they voted?—A. I don't know; but don't think they were.

Q. Was there a cover on the ballot-box?—A. There was.

Q. What was its condition?—A. Bad.

Q. Was it whole or in pieces?—A. I think it was whole.

Q. Were there any persons in the room while the vote was being counted other than the board?—A. There was.

Q. Where were they with reference to the board and ballot-box while the vote was being counted?—A. They were sitting around the room in different seats.

Q. Where were the people who were in the room during the day with reference to the board and the ballot-boxes?—A. They were scattered round the room.

Q. Were there people other than the board in the room during the day?—A. There were.

Q. About how many at any one time?—A. There might have been fifteen or twenty.

Q. Was the cover of the ballot-box fastened or locked in any way?—A. I think not; just loosely laid on.

Q. Was it whole or split?—A. I think it was whole.

Q. Were you where you could see the box during the whole of the day?—A. Not every moment of the time.

Q. Were the inspectors always near the box?—A. They were not near enough to put a vote in all the time during the day. We all had our dinners there and moved out of our seats to eat it.

Q. Did you and the inspectors eat dinner at the same time?—A. I don't know.

Q. Did the clerks eat at the same time?—A. I don't know.

Q. Were not you and the inspectors moving about through the house at different times during the day?

(Objected to by counsel for contestant as leading.)

A. I presume we left our seats at different times.

Q. What candidate for Congress was Emmett Hovencamp, sr., clerk of the board, supporting?—A. I cannot say positive, but I understood it was Andrew G. Curtin.

Q. Who was the most active member of the board that day?

(Objected to by counsel for contestant as leading, and inasmuch as it assumes a fact of which there is no evidence.)

A. I don't know.

Q. Which member of the board had the most to say when votes were challenged, if any were challenged?

(Objected to by counsel for contestant as leading, and that it assumes a fact of which there is no evidence.)

A. I don't know.

Q. Were any voters challenged that day?—A. There were.

Q. When voters were challenged did any one argue their qualifications with the inspectors and judges?—A. They did. Mr. Hovencamp argued with me.

Q. What Mr. Hovencamp was this?—A. Emmett Hovencamp, sr., the clerk of the board.

Q. Did he argue with you more than once as to voters and their right to vote?—A. I think he did.

Q. Was there a statement of the count or result of that election posted on the door of the election-house after the count and before the board dispersed?—A. Not to my knowledge.

Q. What was done with the tickets, registry list, poll list, and other papers after the vote was counted?—A. The tickets, to the best of my knowledge, were placed back in the ballot-box. A part of the papers were made out and returned by me to the prothonotary. The other copies I think were put into the ballot box and kept there.

Q. How were the tickets put into the box?—A. I think they were loose.

Q. Was the box sealed after these papers were put into it?—A. No.

Q. What was done with the box after the papers were put into it?—A. I cannot say positively what was done with the box.

Q. Who took charge of it?—A. I cannot say.

Q. Have you seen it since?—A. To the best of my belief I have.

Q. When?—A. At the township election.

Q. Where did you get it from at that time?—A. I cannot say positively, but I think it was from overhead in the school-house.

Q. Were the tickets and other papers of the November election in the box at the time you saw it at the township election?—A. I cannot say positively, but it was understood that they were there. I did not examine the tickets.

Q. Was there anything in the box when you saw it?—A. I think there was.

Q. What was in it?—A. I did not examine it. There were papers in it.

Q. Did you take those papers out?—A. I did not myself.

Q. Were they taken out by anyone?—A. I couldn't say.

Q. Did you seal up the box after the spring election?—A. No, sir.

Q. What became of the box after the spring election?—A. To the best of my knowledge, Mr. Hovencamp took the box home with him.

Q. Where is the school house in which the election was held situate?—A. In Highland Township, on the Warren pike.

Q. Was there a school there during the winter?—A. There was.

Q. Who was the teacher?—A. Emmet Hovencamp, sr.

Q. Is that school-house kept locked when no school is in session?—A. I don't know.

Q. Had the winter term of school held at that school-house commenced before November 5, 1878?—A. I don't know.

Cross-examined by C. M. McCAULY, Esq., counsel for contestant :

Q. How many stories high is that school-house?—A. I think probably a story and a half; it is a small country school-house.

Q. About how long is the house?—A. Probably not far from 24 or 30 feet.

Q. About how wide is it?—A. Probably not far from 20 feet.

Q. There is no stairs in it, is there?—A. I believe not.

Q. How far is that school-house from any house?—A. Probably somewhere between 40 and 80 rods.

Q. Was there not a bench between the members of the board and ballot-box and the balance of the persons in the house during that day?—A. The space round where the teacher's desk is we had an old table placed in there; the judge and the inspectors sat at the table, and the ballot-box stood on the table; the crowd were kept back, except when a man was challenged, he was brought up to the board and sworn; there was a long bench between the board and the people, and I sat on the bench.

Q. Persons other than the board were not permitted back of this bench, were they?—A. Not unless they were challenged; then they were brought up and sworn.

Q. Did these persons in the house other than the board interfere in any manner and prevent the board from performing their duties at that election?—A. No, sir.

Q. Were they not quiet and peaceable?—A. Yes.

Q. Was there not a majority of the board in charge of the ballot-box all day and evening?—A. A majority of the board were present and had charge of the box all the time.

Q. Did not the members of the board eat their dinners in the house that day?—A. To the best of my belief they did.

Q. Was not Mr. Hovencamp a Republican, November 5, 1878?—A. I understand him to be a Republican in politics.

Q. About how old is Mr. Hovencamp?—A. I presume he is about fifty years old.

Q. What office does he hold?—A. He is justice of the peace.

Q. Was he a justice November 5, 1878?—A. Yes.

Q. Did you not ask him his opinion of the right of one or two persons to vote that day?—A. I don't know that I did.

Q. Did you not ask his opinion in regard to the receiving of Benjamin Knickerbocker's vote?—A. I don't think that I did.

Q. Did not either of the inspectors ask his opinion of Knickerbocker's vote?—A. I don't know; they might have done so.

Q. Did not you and the inspectors agree upon the receiving of his vote?—A. The inspectors agreed upon receiving his vote without me.

Q. Who was it that you and Hovencamp argued about?—A. Knickerbocker.

Q. Is not Mr. Knickerbocker a married man?—A. I believe it is so understood.

Q. He did not keep house in Highland, November 5, 1878, did he?—A. I don't know that his family was there.

Q. When did he come there with his family?—A. I cannot tell.

Q. When did he go away with his family?—A. I cannot tell.

Q. Was that election on November 5, 1878, not a fair election?—A. It was a fair election, as I understand it.

Q. Is not Mr. Hovencamp, sr., one of the clerks, a fair, honest, and upright man?—A. I respect Mr. Hovencamp as a nice, respectable man.

Q. Do you know how the votes, when taken out of the box in the evening, compared with the clerk's tally or list of voters?—A. I didn't count the votes, but it was understood that the votes were all correct, with the exception of one county ticket, as I understood, being in the box with the State ticket.

Q. You understood that the votes in the box and those cast agreed in number?—A. I did.

Q. How did Mr. Hovencamp come to swear a part of the board?—A. I think it was at my request.

Q. Did you not belong to what was called the Greenback party?—A. It was understood that I was a Greenback man.

Q. When you said the clerks kept a registry list did you not mean that they kept a list of the names and numbers of each voter as he voted?—A. Yes.

Q. Where did the regular registry list of voters lay?—A. On the table.

Q. Were the names checked off of this registry list as the votes were cast?—A. I don't think they were.

Q. Was this list examined to see whether persons voting were registered at any time?—A. I don't know as it was; I was the assessor, and I think there was no dispute over it.

W. S. COLE.

JOHN E. BOYLE sworn.

Question. What is your name?—Answer. John E. Boyle.

Q. Have you been sworn in this case before?—A. Yes, sir.

Q. When?—A. About two weeks ago.

Q. When were you born?—A. 1856.

Q. What month and day?—A. October 20, to the best of my knowledge.

Cross-examined by C. H. McCAULY, counsel for contestant:

Q. You do not remember the date yourself, do you?—A. No, sir; I have my parents' word for it.

Q. Then you do not know positive whether you was born in 1856 or 1857?—A. No, sir.

JOHN E. BOYLE.

HERMAN GORTON sworn.

Question. What is your name?—Answer. Herman Gorton.

Q. Where do you live?—A. In Highland Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Three years this spring.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years, which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir; I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Highland Township November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. I voted for Seth H. Yocum.

Q. Were you at the election-house when the polls were opened?—A. No, sir; I was not.

Q. What time did you go there?—A. I should think it was between ten and eleven o'clock.

Q. How long did you remain?—A. I could not say exactly; two or three hours, I should say.

Q. Were there any persons in the election-house besides the board while you were there?—A. Yes, sir; there were.

Q. About how many?—A. I couldn't say as to that. I was in there myself, and I think every other man who had a mind to go in; there was no one objected. I know there were a number there.

Q. Where were the people who were in the election-house with reference to the board and ballot-box?—A. They were standing around the stove and sitting round on the seats in the school house.

Q. What were they doing?—A. Talking, as men usually do when there are a lot together, about election and other things. I didn't pay much attention to it.

Q. What were the board doing and where were they?—A. There was a long seat across the school-house, I should say two-thirds the way across, and there was a writing-desk stood in behind that. The ballot-

box stood on this desk, and the board received the tickets as they were handed in through the window, and put them into the box.

Cross-examined by C. H. McCauly, Esq., counsel for contestant:

Q. When were you assessed?—A. I couldn't say that exactly. I have been assessed every year since I have been in the township of Highland.

Q. By whom?—A. By H. O. Ellithorpe the first two years that I was in Highland, and last year by W. S. Cole.

Q. To whom did you pay tax?—A. The first year I was there I paid it to Levi Ellithorpe, the next year to H. O. Ellithorpe.

Q. When?—A. I couldn't say exactly. I paid one tax in 1877 and another in 1878.

Q. How?—A. In money.

Q. Were these taxes you have testified to not road and poor taxes?—A. No, sir.

Q. To what political party did you belong November 5, 1878?—A. The Greenback party was what I always called it.

Q. What party ticket did you vote November 5, 1878?—A. I voted the Greenback ticket.

Q. Did you examine your ticket immediately before you cast it November 5, 1878?—A. Yes, sir; I did.

Q. Was the name of the candidate for Congress written or printed upon it?—A. It was printed.

Q. Have you a distinct recollection of how that name was printed upon your ticket?—A. No, sir; I don't think I have.

Q. Is not your recollection of the way that name was printed based upon conversation had with parties since the election?—A. I think the name for member of Congress upon my ticket was Seth H. Yocum. I am sure of it. My recollection is not based upon conversation had with other parties.

Q. Were not the parties in the election-house, other than the board, on November 5, 1878, quiet and peaceable?—A. Yes, sir; they were while I was there.

Q. Did they prevent the members of the board from performing their duties on that election-board?—A. No, sir; I think not.

Q. Did not the voters have an opportunity to vote as they chose?—A. I think they did.

HERMAN GORTON.

EDWARD GORTON sworn.

Question. What is your name?—Answer. Edward Gorton.

Q. Where do you live?—A. Town of Highland, Elk County, Pennsylvania.

Q. How long have you lived there?—A. For the last three years.

Q. How old are you?—A. Thirty two years the 17th day of March.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir; I have.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Highland Township November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Cross-examined :

Q. When were you assessed ?—A. Well, sir, at least two months next preceding the election, and I think longer. It was certainly that length of time, if not more.

Q. What month ?—A. I ain't positive what month.

Q. By whom ?—A. William Cole.

Q. Where ?—A. In the town of Highland, Elk County.

Q. At whose house ?—A. Herman Horton's house; that is where I was making my home.

Q. With what were you assessed ?—A. State and county tax.

Q. With what property were you assessed ?—A. I don't know particularly what property.

Q. Then you do not know with what you were assessed ?—A. Not in particular—State and county tax a fellow is obliged to pay.

Q. Upon what did you pay a State tax ?—A. Well, I don't know in particular, only I paid it; I can tell you what I paid it for—I paid it for the privilege of voting.

Q. To whom did you pay tax ?—A. I paid it to Henry Ellithorpe.

Q. When ?—A. Well, sir, as near as I can come at it, last fall some-time. I paid to Levi Ellithorpe the year before.

Q. Where, at whose house ?—A. Well, sir, I don't recollect—I think it was at Herman Gorton's house—I wouldn't be positive; it might have been at the school-house.

Q. Who was present ?—A. I won't say—I don't recollect who was present—only I will say Henry Ellithorpe was present.

Q. How did you pay it ?—A. I paid it with money.

Q. When did you first go to Highland ?—A. In 1876.

Q. When did you leave Highland ?—A. I have never left it.

Q. Are you a single man ?—A. Yes, sir.

Q. Where did you work in the summer or fall of 1878 ?—A. I worked at Highland in the summer, and I worked at Brookston, I think it was, in 1878; I worked in Highland the biggest part of the time.

Q. Where is Brookston ?—A. Brookston, I think, is in Howe Township, Forest County, Pennsylvania.

Q. What time did you go to Brookston ?—A. The 22d of August, I think.

Q. What time did you quit work and return ?—A. About the 25th of December, 1878, I think.

Q. For whom did you work ?—A. For G. Brooks & Co.; I won't be certain what the name is.

Q. Did you examine your ticket immediately before you cast it on November 5, 1878 ?—A. Yes, sir; I did.

Q. Did you not belong to the Greenback party ?—A. Yes, sir; I did.

Q. Where were you born ?—A. In the town of Neversink, Sullivan County, New York.

Q. Is your father living ?—A. No, sir.

Q. Have you had any conversation with any one in regard to what you would swear before this commission ?—A. No, sir; I have not what I would swear to—I might have talked over about this contest between Curtin and Yocum—nothing what I would swear to.

Q. Were you challenged November 5, 1878 ?—A. I think I was; I won't be positive whether it was then or the year before; I think it was that time.

Q. What were the grounds of challenge ?—A. I don't know.

Q. Were you sworn ?—A. Yes, sir; I think I was.

Q. What were you sworn in regard to ?—A. Where my residence was,

one thing; whether I had paid a State or county tax was another thing.

Q. With whom did you board while working for Brooks & Co.?—A. I boarded with Michael Moore.

Q. Did Michael Moore live at Brookston?—A. Yes, sir, he did.

Redirect:

Q. What were you doing at Brookston?—A. Grinding bark.

Q. Where do you consider your home?—A. Well, sir, I consider my home to Madison Gorton's, in the town of Highland, Elk County.

Q. When you went to Brookston did you intend to remain there or to return to Highland Township?—A. I intended to return to Highland Township.

Recross-examination :

Q. Have you any real estate in Highland Township?—A. No, sir.

Q. If you were to work in Ridgway Township and board here for six months where would you consider your home?—A. I would consider my home in the town of Highland; that is where I pay my taxes. I have two brothers living there, where I make my home.

EDWARD GORTON.

ELTING SHEELEY sworn.

Question. What is your name?—Answer. Elting Sheeley.

Q. Where do you reside?—A. Highland Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. We moved there last fall sometime; do not remember just when.

Q. How old are you?—A. I cannot tell.

Q. Is your father living?—A. Yes, sir.

Q. Is your mother living?—A. Yes, sir.

Q. Did they ever tell you how old you was?—A. Yes, sir.

Q. What have they told you in regard to your age?

(Objected to by counsel for contestant as incompetent and hearsay.)

A. They said I was born in the year 1857, as near as they could recollect.

Q. What time in the year?—A. On the 5th day of June.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Where did you move from when you moved to Highland Township?—A. I could not say whether it was in this county or in Forest County; it was near Brookston.

Q. How far from Brookston?—A. I don't know as I can say exactly; but I think it was between three and four miles.

Q. Which way from Brookston?—A. It was toward Highland.

Q. Did you vote for any person for the office of member of Congress at the election held in Highland Township, November 5, 1878?—A. I voted; but I don't know what men were running, as I know of.

Q. What ticket did you vote?—A. I don't know.

Q. From whom did you get your ticket?—A. From Madison Gorton.

Cross-examined by C. H. McCAULEY, Esq., counsel for contestant:

Q. You lived with your father, did you not, before the election?—A. Yes, sir.

Q. He lived in Highland Township?—A. Yes, sir.

Q. Didn't you show your ticket to Mr. E. Hovencamp before you voted?—A. No, sir; I don't think I did.

Q. You voted on age, did you not?—A. Yes, sir.

Q. Did you show your ticket to your father before you voted?—A. No, sir.

Q. Did you show your ticket to any one?—A. No, sir.

Q. How long after you received your ticket was it before you voted it?—A. I don't know as I could tell exactly how long it was; but it was not a great while; I don't think it was half an hour.

Q. You were sworn, were you not?—A. Yes, sir.

Q. You signed a paper in the election house, did you not?—A. I don't remember whether I did or not.

ELTING SHEELEY.

F. V. LEROY sworn.

Question. What is your name?—Answer. F. V. Leroy.

Q. Where do you live?—A. In Highland Township, Elk County, Pennsylvania.

Q. Were you one of the board of election at the election held in Highland Township November 5, 1878?—A. I acted as one.

Q. What position did you occupy?—A. I was one of the inspectors.

Q. Who were the other members of the board?—A. Wm. J. Stubbs; Emmet Hovencamp, sr., acted as clerk; and I think Henry O. Ellithorpe was the other clerk. William S. Cole was judge.

Q. At what time in the morning were the polls opened?—A. I couldn't tell. I had no time with me. It was said about 7 o'clock a.m.

Q. Who said it was opened about 7 o'clock?—A. I couldn't say for certain, but I think it was Emmet Hovencamp, but I wouldn't be positive.

Q. Were the judge, inspectors, and clerks sworn before the polls were opened?—A. They were all sworn before they took any tickets.

Q. Were they all present when they were sworn?—A. Yes, sir; I think they were.

Q. Were they all sworn at one time?—A. I think not.

Q. Who swore the judge?—A. The justice of the peace, Emmet Hovencamp, sr., I think.

Q. Who swore the inspectors?—A. Emmet Hovencamp, sr.

Q. Who swore the clerks?—A. The judge of election, I think.

Q. Did the ballot-box have a cover?—A. Yes, sir.

Q. What was its condition?—A. Split in two, I think.

Q. Was the cover fastened or locked while ballots were being received?—A. I think not.

Q. How was it put on the box?—A. Just laid on to it, I think.

Q. Did it remain on the box all day?—A. It did, so far as I know.

Q. Who put the tickets into the box?—A. William J. Stubbs.

Q. Did you see any one besides Stubbs handling the box that day?—A. I did not.

Q. Were there any persons in the room during the election or while the vote was being counted other than the board?—A. There was.

Q. How many at any one time?—A. I cannot tell.

Q. Was there any one there while the vote was being counted beside the board?—A. There was.

Q. How many?—A. I cannot tell.

Q. Was the judge and inspectors in the election room all day?—A. I cannot say whether they were or not. I don't recollect.

Q. Were the judges and inspectors near the ballot-box all day?—A. I guess they were round the room the best of the time. I mean to say that they calculated to be around the ballot-box.

Q. Do you mean to say by your last answer that the judge and inspectors remained close to the ballot-box, or that they wandered around the room when not taking tickets?—A. I mean to say that the left of the time they were round the ballot box; they might have stepped across the room.

Q. When the vote was counted who took the tickets out of the box?—A. I did.

Q. What was done with the tickets when they were counted?—A. They were put back into the ballot-box.

Q. Were they put on a string?—A. They were not.

Q. Were they put into the box loose or in some other way?—A. Loose.

Q. Were any other papers put into the box beside the tickets?—A. Not as I know of.

Q. When the vote was counted was any statement made of the result and posted on the door of the election house?—A. Not to my knowledge.

Q. Where are the elections in Highland Township held?—A. At the school-house in Highland Township on the Warren pike.

Q. Was the election of November 5, 1878, held at that school-house?—A. It was.

Q. Was the box sealed after the tickets were put back in it when you had finished the count?—A. Not as I saw.

Q. What was done with the box after the election?—A. Hovencamp took it away from the school-house.

Q. When did you next see it after that election?—A. At the township election in February, 1879.

Q. Did you see where that box was taken from?—A. I saw Hovencamp carrying it over to the school-house.

Q. What was done with it after the township election?—A. Hovencamp started and took it to his gate. There he went in, and I saw him no more that night.

Q. Was the box sealed after the township election?—A. Not as I know of.

Q. Do you know where the box is now?—A. I do not.

Q. Was there a man by the name of Morse at the election that day, November 5, 1878?—A. There was one man there by the name of Morris.

Q. Did he offer to vote?—A. He did.

Q. Was he challenged?—A. He was.

Q. On what ground?—A. Because he had been out of the county.

Q. Who challenged him?—A. I could not say for certain, but I think Emmet Hovencamp did.

Q. Was he sworn?—A. I think he was.

Q. Did any one argue his right to vote with the judge or the inspectors?—A. Yes.

Q. Who?—A. I could not say now for certain.

Q. Did Hovencamp argue with any of the board in regard to Morris's right to vote?—A. I couldn't tell.

Q. Were any other men challenged that day?—A. There were.

Q. Did Hovencamp have anything to say about their qualifications?—A. I think he did.

Q. Did he argue with the board?—A. Not as I remember.

Q. Do you know a man by the name of Einapple?—A. I do.

Q. Did he offer to vote that day?—A. I think he did.

Q. Was he challenged?—A. He was.

Q. Was his vote received?—A. It was not.

Q. Why?—A. Because he had been out of the county, and hadn't gained a residence in the township.

Q. When and how long was he out of the township?—A. I couldn't tell.

Q. Is the school-house, where the election is held, locked when school is not in session?—A. I don't know.

Q. Is there any church or prayer meetings held in the school-house?—A. Sometimes.

Q. Was there any church, Sunday school, or prayer meetings held in that school-house between November 5, 1878, and February 18, 1879?—A. There was.

Q. Do you know Ed. Lair?—A. I know a man by the name of Edward Lair.

Q. Was he in the election house on November 5, 1878?—A. He was.

Q. Was he near the board at any time during the day, or while the vote was being counted in the evening?—A. He was in the room, I think, but I don't remember that he was up to the table.

Q. To what political party does Lair belong?—A. Said to be a Democrat.

Q. To what political party do you belong?—A. I have formerly belonged to the Republican party. On November 5, 1878, I voted some part of the Democratic ticket; I did not vote any of the Greenback ticket.

Q. Was Lair talking and electioneering during the day?—A. Not as I remember of.

Q. What candidate for Congress was Emmit Hovencamp, sr., supporting that day?—A. Curtin.

Cross-examined:

Q. How far is the election house from the nearest dwelling-house?—A. About a quarter of a mile, I should guess.

Q. Was there not a long bench between the members of the election board and the other persons that were in the school-house?—A. There was.

Q. The members of the board and the ballot-box were behind the long bench, were they not?—A. Yes.

Q. These people, other than the election board, were scattered around through the house on the seats, were they not?—A. In the room and on the seats.

Q. They were not allowed to go behind the bench unless they were challenged, were they?—A. I don't recollect of any one getting behind there.

Q. Did these persons interfere or prevent the election officers from performing their duty that day?—A. No.

Q. They were quiet and peaceable persons other than the board, were they not?—A. Yes.

Q. There was not more than one member of the board, if any, out of the house at one time, were there?—A. I don't think there was.

Q. There is no stairs in that school-house, is there?—A. No.

Q. The board decided not to receive Morris's vote, did they not?—A. Yes.

Q. It was on account of his not having a residence, was it not?—A. Yes.

Q. The board decided not to receive Einapple's vote, for the same reason, did they not?—A. Yes.

Q. You consider the election of November 5, 1878, held in Highland Township a fair election, do you not?—A. I do, so far as I am posted.

Q. The voters had an opportunity to vote just as they pleased, did they not?—A. As far as I know.

Q. For whom did you vote for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Highland Township November 5, 1878?

(Objected to by counsel for contestee as not cross examination, and, if competent, part of their case in chief or rebuttal.)

A. I calculate that I voted for Curtin.

Q. Was it Andrew G. Curtin?—A. I think it was.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?

(Objected to by counsel for contestee as not cross-examination.)

A. I have paid every tax that has been called for since I have been in the State.

Q. How long have you lived in Highland Township?—A. Three years next May.

Q. Do you own property in Highland Township?—A. I do.

Q. Is not Mr. Emmet Hovencamp, sr., an honest, upright, and fair man?—A. I couldn't tell, for I haven't been acquainted with him but two or three years.

F. V. LEROY.

JOHN HEALY sworn.

Question. What is your name?—Answer. John Healy.

Q. Where do you live?—A. In Ridgway Township, Elk County, Pennsylvania.

Q. Do you know Dennis Healy?—A. Yes, sir.

Q. What relation is he to you?—A. He is my son.

Q. Where was he born?—A. Down near Jersey shore.

Q. When?—A. I didn't keep a record.

Q. Have you anything that will show when he was born?—A. I have.

Q. State, then, from the memoranda as near as you can when he was born.—A. He was born in the fall of 1857 or 1858; I cannot tell which.

JOHN HEALY.

The taking of testimony not being concluded, it is now adjourned until Friday morning, March 28, 1879, at 9 o'clock a. m., by consent of parties.

JAMES M. GORTON sworn.

Question. What is your name?—Answer. James M. Gorton.

Q. Where do you live?—A. In Highland Township, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Something over two years; I don't know exactly.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. Yes, sir.

Q. Have you paid a State or county tax within two years which was assessed more than two months and paid more than one month before November 5, 1878?—A. Yes, sir.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Highland Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote for said office?—A. Seth H. Yocum.

Q. Do you know Elting Sheeley?—A. Yes, sir.

Q. Did you see him at the Highland election November 5, 1878?—A. Yes, sir; I saw him there.

Q. Do you know from whom he procured a ticket?—A. Well, I gave him one set of tickets.

Q. How came you to give him a ticket?—A. I don't know whether he asked me for one, or whether I offered it to him.

Q. What party ticket did you give him?—A. A Greenback ticket.

Q. Whose name was on the ticket you gave him as a candidate for Congress?—A. Seth H. Yocum's name was on it.

Q. How long did you remain at the election-house that day?—A. I don't know exactly how long I was there; three or four hours probably; maybe six.

Q. Were there any persons in the room other than the board while you were there?—A. Yes, sir.

Q. About how many at any one time?—A. Probably eight or ten; I could not say exactly.

Q. Were any voters challenged while you were there?—A. Yes, sir.

Q. Who challenged them?—A. Well, Ed. Lair, I think, challenged Sheeley.

Q. Was any particular party voters challenged more than another?

(Objected to by counsel for contestant as incompetent and leading, the proper question being what party voters were challenged.)

A. There were three challenged while I was there, and they were all Greenback men.

Q. Who were challenged besides Sheeley?—A. Ben. Knickerbocker was one and Charles Morris was another.

Q. Who challenged them?—A. I think it was Mr. Hovencamp. I am not sure.

Q. What Hovencamp was that?—A. It was a man that lives in Highland Township, Emmet Hovencamp, I think, the justice of the peace.

Q. What was Hovencamp doing there?—A. I don't know as he had any business there, only to be at the election.

Q. Was he or was he not one of the board?—A. Well, I don't know; he swore the men. I don't know whether he was on the board or not.

Cross-examined by C. H. McCAULEY, counsel for contestant:

Q. To what political party do you belong?—A. The Greenback party.

Q. How long have you lived in Highland?—A. Something over two years. I don't know exactly how long.

Q. When were you assessed?—A. In 1876.

Q. Where?—A. In Highland.

Q. At whose house?—A. I don't know whose house.

Q. Who was present?—A. I don't know anything about that.

Q. By whom were you assessed?—A. I think it was Henry Ellithorpe; but I am not positive.

Q. With what were you assessed?—A. I was assessed with money at interest, but I don't know where the money was.

Q. To whom did you pay tax?—A. Levi Ellithorpe.

Q. When?—A. The 2d day of October, I think, 1876 or 1877; don't remember which.

Q. How did you pay it?—A. I paid it in money.

Q. Did you take a receipt?—A. Yes, sir.

Q. Did Benjamin Knickerbocker vote in Highland Township November 5, 1878?—A. Yes, sir.

Q. Is he a married man?—A. That I don't know anything about, only what he says; he has got a woman living with him.

Q. Where is he living?—A. I don't know where he lives now; in Bradford, I guess, McKean County, Pennsylvania.

Q. When did he go to Bradford?—A. He moved from Highland on the 6th day of November, 1878.

Q. Did his wife go on that day?—A. No; I didn't see anything of her; she wasn't there when I moved him.

Q. She had gone some time before, had she not?—A. She was gone, but I don't know how long before.

Q. In what house did he live when he was there?—A. He lived in a bark shanty, over on Spring Creek.

Q. Don't you know that that bark shanty is in Forest County?—A. No, sir.

A. Do you know where the line crosses?—A. I don't know anything about it, only what I have been told.

Q. Don't you know that there are two county lines there?—A. No; I don't.

Q. When did Knickerbocker come to that bark shanty?—A. Last May, I think, some time.

Q. When did his wife come?—A. She came with him, I guess.

Q. Do you know when she moved away?—A. I don't know when she left; I didn't see her go.

Q. She moved before election, did she not?—A. I don't know nothing about it; but she wasn't there the day after election.

Q. Did Knickerbocker tell you when she left?—A. No; I don't know as he did tell me anything about it. I don't know as I asked him.

Q. Do you know where Knickerbocker lived before he came to Highland?—A. Well, I guess he had no steady place of living. Well, he had been here in Elk County for the last two years and a half, that I have known him.

Q. Was his wife with him during that time?—A. No, sir; he didn't have a wife until the spring of 1878.

Q. The election board decided that Charles Morris had no right to vote, on account of not having a residence, did they not?—A. Yes; they decided so.

Q. Are the tickets cast November 5, 1878, in Highland Township, now in existence?—A. I don't know.

Q. Do you swear that Elting Sheeley voted for Mr. Yocum?—A. No, sir; I don't.

Q. Do you swear that the ticket you gave him had Yocum's name upon it?—A. Yes, sir.

Q. Did you have any tickets in your possession that day other than Greenback tickets?—A. Yes, sir.

Q. Were these persons you have testified to as being in the house, other than the election board, quiet and peaceable?—A. Yes, sir.

(Counsel for contestee objects to that part of the cross-examination in regard to Benjamin Knickerbocker as not being cross-examination.)

Redirect:

Q. Do you remember when you paid the tax to Levi Ellithorpe?—A. Yes, I remember when I paid it.

Q. Have you the receipt with you?—A. No, sir.

Q. In what year was it?—A. It it was in 1876 or 1877, I am not sure which, but think it was 1877.

Q. Did you pay tax to any one else in Highland Township?—A. No, sir.

JAMES M. GORTON.

W. S. HORTON sworn.

Question. What is your name?—Answer. W. S. Horton.

Q. What is your age?—A. Twenty-six years old.

Q. Where do you reside?—A. In Ridgway Township, Elk County, Pennsylvania.

Q. How long have you resided there?—A. About twenty-two years.

Q. Do you hold any office in Elk County; and, if so, what?—A. Yes, sir; county commissioners' clerk.

Q. How long have you held that office?—A. Three years.

Q. Who has charge of the papers and books on file and remaining in said office?—A. I have.

Q. By said office you mean the county commissioners' office, do you not?—A. Yes, sir.

(Paper shown witness.)

Q. What is that paper you hold in your hand?—A. It is a copy of the registry of voters residing within the election district of Benzinger Township, Elk County, Pennsylvania, for the year 1878.

Q. Who made that copy?—A. I did.

Q. From what did you make it?—A. From the original list on file in the commissioners' office of Elk County, Pennsylvania.

Q. In whose charge and custody is that original?—A. In mine.

Q. State whether or not you have carefully compared that copy with the original on file in the county commissioners' office?—A. I have.

Q. State whether or not that copy is a full, complete, entire, and critically exact copy of the original registry of voters residing in the election district of Benzinger, Elk County, Pennsylvania, for the year 1878, returned and on file in the commissioners' office of Elk County, Pennsylvania?—A. Yes, sir; it is.

Q. Did you make, sign, and cause the seal of the county of Elk to be affixed to the certificate attached to that copy?—A. I did.

Q. Did you erase the words "my office" in that certificate?—A. I did.

Q. Do the figures 1877, printed at the top of the pages, in some places changed to 1878, correspond with the original?—A. Yes, sir; they do.

Q. State whether or not the certified copy contains a full and entire list of the names of voters of the original, returned for the year 1878, and now on file in the commissioners' office.—A. Yes, sir; it does.

(Three papers shown witness.)

Q. What are those papers?—A. One is a copy of the register of voters residing in the election district of Highland Township, Elk County, Pennsylvania, for the year 1878; another is a copy of the register of voters residing within the election district of Millstone Township, Elk County, Pennsylvania, for the year 1878; the other is a copy of the register of voters residing within the election district of St. Mary's Borough, Elk County, Pennsylvania, for the year 1878.

Q. Who made these copies?—A. I did.

Q. From what did you make them?—A. From the original list on file in the commissioners' office of Elk County, Pennsylvania.

Q. In whose charge and custody are those originals?—A. In my charge.

Q. State whether or not you have carefully compared these copies with the several originals on file in the county commissioners' office.—A. I have.

Q. State whether or not these copies are each of them a full, complete, entire, and critically exact copy of the original list of voters of which it purports to be a copy residing in the election district of Highland,

Millstone, and St. Mary's, Elk County, Pennsylvania, for the year 1878, as returned and on file in the commissioner's office of Elk County, Pennsylvania.—A. Yes, sir; they are.

Q. Did you make, sign, and cause the seal of the county of Elk to be affixed to the certificates severally attached to these copies?—A. I did.

Q. Did you erase the words "my office," and interline the words "the commissioners' office of Elk Co.," in the certificate attached to the copy of register of voters in Highland Township?—A. I did.

Q. Did you erase the words "my office," in the certificate attached to the copy of register of voters of Millstone Township and of the copy of register of voters of St. Mary's Borough?—A. Yes, sir; I did.

Q. How came the figures 1877 printed at the head of the page in the registry of Millstone Township to be therein the registry of 1878?—A. The books were made for the year 1877, and the figures were not changed by the assessor in making his list.

Q. How came the figures 1877 at the top of the page in the registry of Highland Township for 1878?—A. The books were made for 1877, and the figures were not changed by the assessor in making the list.

Q. State whether or not these certified copies, each, contains a full and entire list of the names of voters in its respective original as returned for the year 1878, and now on file in the commissioners' office?—A. Yes, sir; they do.

(Counsel for contestee offers certified copy of register of voters residing within election districts of Benzinger Township, Highland Township, Millstone Township, and St. Mary's Borough, Elk County, Pennsylvania, for the year 1878, which the witness testified were made and compared by him, as follows:

1. Register of voters residing within the election district of Benzinger Township, Elk County, Pennsylvania, for the year 1878, hereto attached, and marked Exhibit A.

2. Register of voters residing within the election district of Highland Township, Elk County, Pennsylvania, for the year 1878, hereto attached, and marked Exhibit B.

3. Register of voters residing within the election district of Millstone Township, Elk County, Pennsylvania, for the year 1878, hereto attached, and marked Exhibit C.

4. Register of voters residing within the election district of St. Mary's Borough, Elk County, Pennsylvania, for the year 1878, hereto attached, and marked Exhibit D.)

W. S. HORTON.

GEORGE D. MESSENGER, jr., sworn.

Question. What is your name?—Answer. George D. Messenger, jr.

Q. Where do you live?—A. In Ridgway, Elk County, Pennsylvania.

Q. How long have you lived there?—A. Since 1865.

Q. Did you vote at an election held in Spring Creek Township, Elk County, Pennsylvania, November 5, 1878?—A. I did.

Q. Did you vote for any person for the office of member of Congress for the 20th Congressional district of the State of Pennsylvania November 5, 1878?—A. I did.

Q. For whom did you vote for said office?—A. Andrew G. Curtin.

Q. Were you registered?—A. Not in Spring Creek Township.

Cross-examined by C. H. McCAULEY, Esq. :

Q. Were you challenged?—A. I was.

Q. Were you sworn?—A. Yes.

Q. Did you subscribe or sign a written or printed or partly written

and partly printed affidavit as to your qualifications as a voter in Spring Creek Township November 5, 1878?—A. I did.

Q. Did you procure a witness as to your qualification as a voter at that time?—A. I did.

Q. Who?—A. Hiram Carman.

Q. Was he sworn?—A. He was.

Q. Did he sign or subscribe a written or printed or partly written and partly printed affidavit?—A. He did.

Q. Did you move with your family to the township of Spring Creek two months prior to November 5, 1878?—A. I did.

Q. Are you a citizen of the United States and of the State of Pennsylvania?—A. I am.

Q. Have you paid a State or county tax within two years which was assessed at least two months and paid at least one month before November 5, 1878?—A. I did.

Q. How old are you?—A. Twenty-seven years old.

Redirect:

Q. What day did you move to Spring Creek Township?—A. On Thursday, September 5, 1878.

Q. What did you go there to do?—A. To build a State road.

Q. Did you rent a house?—A. No, sir.

Q. How long did you remain in Spring Creek Township?—A. Three months.

Q. When you went to Spring Creek Township, did you or did you not intend to make it your permanent residence?—A. I did not.

Q. What did you intend to do, when your job was done, in regard to remaining or going away?—A. I intended to go away from that place.

Q. Where did you intend to go to from there?—A. I hadn't got any particular place to go.

Q. Where did you go?—A. I went to Ridgway.

Q. Have you remained in Ridgway since?—A. I have.

Q. Did you or did you not intend to return to Ridgway when your job on the State road was done?

(Objected to by counsel for contestant as leading, because an answer would tend to impeach their own witness.)

A. In one way I did and in another I didn't. I expected to go where I could make the most money.

Recross-examined:

Q. Are you married?—A. I am.

Q. When were you married?—A. June 5, 1878.

Q. Had you ever kept house prior to your moving to the township of Spring Creek?—A. No, sir.

Q. Did you keep house while there?—A. I did.

Q. You had no intention as to where you would go when you got through on that State road, did you?—A. No.

Re-redirect:

Q. Did you hold any office in Ridgway Township in 1878?—A. No, sir.

G. D. MESSENGER, JR.

DENNIS W. HEALY sworn.

Question: What is your name?—Answer. Dennis W. Healy.

Q. Where do you live?—A. In Ridgway Township, Elk County, Pennsylvania.

Q. Did you vote for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania at the election held in Ridgway Township November 5, 1878?—A. Yes, sir.

Q. For whom did you vote?—A. Andrew G. Curtin.

Q. How o'd are you?—A. I couldn't just exactly tell you; my father told me I was twenty-one years old.

Q. What is your father's name?—A. John Healy.

Q. Where does he live?—A. In Ridgway, Elk County, Pennsylvania.

Q. Do you know when you were born?—A. No, sir.

DENNIS W. HEALY.

W. S. SERVICE sworn.

Question. What is your name?—Answer. W. S. Service.

Q. Where do you live?—A. In Ridgway Township, Elk County, Pennsylvania.

Q. Do you know a German by the name of John Walker?—A. Yes.

Q. Where does he live?—A. In Saint Mary's, Elk County, Pennsylvania.

Q. Did you have any conversation with John Walker last fall?—A. Yes.

Q. When and where?—A. The day that Andrew G. Curtin spoke here, on Main street, Ridgway.

Q. What was Mr. Walker talking about?—A. The political situation.

Q. What did he say?

(Objected to by counsel for contestant as incompetent, being hearsay.)

A. He said he had received \$50 from Mr. Curtin, and that it would be useful in paying for a horse. His conversation was rambling, but I recollect this among other statements that he made.

Q. Did he say when he had received the money?

(Objected to by counsel for contestant as incompetent and leading.)

A. I don't think he did.

Q. Was or was not Gov. Curtin in Ridgway that day?—A. He was.

Cross-examined by C. H. McCAULEY, Esq.:

Q. Had Mr. Walker been drinking that day?—A. I didn't see him drink.

Q. What was his appearance?—A. He had the appearance of being inebriated.

W. S. SERVICE.

The taking of testimony not being concluded, it is now adjourned until Saturday morning, March 29, 1879, at 9 o'clock, by consent of parties.

FREDERICK SCHOENING sworn.

Question. What is your name?—Answer. Frederick Schoening.

Q. Where do you reside?—A. In Ridgway, Elk County, Pennsylvania.

Q. What offices do you hold?—A. I am prothonotary of the court of common pleas of Elk County, clerk of the courts, register of wills, and recorder of deeds.

Q. How long have you held these offices?—A. Over nine years.

Q. State who has charge and custody of the election returns of the several election districts of Elk County.—A. I have.

(Four papers shown witness.)

Q. What are those papers?—A. They are copies of Benzinger list of voters who voted at the November election, A. D. 1878; list of voters of Saint Mary's Borough who voted at November election, 1878; list of voters who voted in Highland Township, November 5, 1878; list of voters who voted in Millstone Township at the November election, 1878.

Q. Who made these copies?—A. I made them.

Q. From what did you make them?—A. From the original poll-lists on file in my office.

Q. In whose charge and custody are these originals?—A. In my charge.

Q. State whether or not you have carefully compared these copies with the several originals on file in your office.—A. I have, individually, name by name.

Q. State whether each of these is a full, complete, entire, and critically exact copy of the original list of voters of which it purports to be a copy who voted in the election districts of Benzinger, Highland, Millstone, and Saint Mary's Borough, at the November election, 1878, as returned and on file in the prothonotary's office of Elk County, Pennsylvania.—A. Yes, sir.

Q. Did you make, sign, and cause the seal of the court of common pleas of Elk County to be affixed to the certificate attached to each of these copies?—A. Yes, sir.

Q. State whether or not these certified copies each contains a full and entire list of the names of voters in its respective originals as returned and now on file in your office.—A. Yes, sir.

(Counsel for contestee offers certified copies proved by the witness, as follows:

1st. Copy of list of voters who voted in Benzinger district, Elk County, Pennsylvania, at the November election, 1878, hereto attached and marked Exhibit E.

2d. List of voters who voted in Saint Mary's Borough, Elk County, Pennsylvania, at the November election, 1878, hereto attached and marked Exhibit F.

3d. Copy of list of voters who voted in Highland district, Elk County, Pennsylvania, at the November election, 1878, hereto attached and marked Exhibit G.

4th. Copy of list of voters who voted in Millstone Township, Elk County, Pennsylvania, at the November election, 1878, hereto attached and marked Exhibit H.)

(Five papers shown witness.)

Q. What are those papers?—A. They are copies of the return sheets of the election held November 5, 1878, in the districts of Benezette, Benzinger, Highland, Millstone, and Saint Mary's Borough, Elk County, Pennsylvania.

Q. Who made these copies?—A. I did.

Q. From what did you make them?—A. From the originals on file in my office.

Q. In whose charge and custody are these originals?—A. In my charge and custody.

Q. State whether or not you have carefully compared these copies with the several originals on file in your office.—A. I have.

Q. State whether each of these copies is a full, complete, entire, and critically exact copy of the original return-sheet of which it purports to be a copy as returned from the election districts of Benezette, Benzinger, Highland, Millstone, and Saint Mary's Borough, as the same remain on

file in the prothonotary's office of Elk County, Pennsylvania.—A. Yes, sir.

Q. Did you make, sign, and cause the seal of the court of common pleas of Elk County, Pennsylvania, to be affixed to the certificate attached to each of these copies?—A. Yes.

(Counsel for contestee offer certified copies of the following papers proved by the witness, as follows :

1st. Copy of the return-sheet of the election held in Benezette election district, Elk County, Pennsylvania, on the first Tuesday of November, 1878, hereto attached and marked Exhibit I.

2d. Copy of the return-sheet of the election held in Benzinger election district, Elk County, Pennsylvania, on the first Tuesday of November, 1878, hereto attached and marked Exhibit J.

3d. Copy of the return sheet of the election held in Highland election district, Elk County, Pennsylvania, on the first Tuesday of November, 1878, hereto attached and marked Exhibit K.

4th. Copy of the return-sheet of the election held in Millstone election district, Elk County, Pennsylvania, on the first Tuesday of November, 1878, hereto attached and marked Exhibit L.

5th. Copy of the return-sheet of the election held in Saint Mary's Borough election district, Elk County, Pennsylvania, on the first Tuesday of November, 1878, hereto attached and marked Exhibit M.)

(Four papers shown witness.)

Q. What are these papers?—A. They are copies of oaths of the election officers of the election held November 5, 1878, in the districts of Benzinger, Highland, Millstone, and Saint Mary's Borough, Elk County, Pennsylvania.

Q. Who made these copies?—A. I did.

Q. From what did you make them?—A. From the originals on file in my office.

Q. In whose charge and custody are those originals?—A. In my charge.

Q. State whether or not you have carefully compared those copies with the several originals on file in your office.—A. Yes, sir.

Q. State whether each of those copies is a full, complete, entire, and critically exact copy of the original of which it purports to be a copy, as returned from the election districts of Benzinger, Highland, Millstone, and Saint Mary's Borough, as they remain on file in the prothonotary's office of Elk County, Pennsylvania.—A. Yes, sir.

Q. Did you make, sign, and cause the seal of the court of common pleas of Elk County to be affixed to the certificate attached to each of those copies?—A. Yes, sir.

(Counsel for contestee offer oaths of the election boards of the several townships of Benzinger, Highland, Millstone, and Saint Mary's Borough, hereto attached and marked as exhibits, and proved by the witness, as follows :

1st. Oaths of board of Benzinger Township, and marked Exhibit N.

2d. Oaths of board of Highland Township, and marked Exhibit O.

3d. Oaths of board of Millstone Township, and marked Exhibit P.

4th. Oaths of board of Saint Mary's Borough, and marked Exhibit Q.)

(Four papers shown witness.)

Q. What are those papers?—A. Copies of six affidavits of voters and witnesses of an election held November 5, 1878, in Benzinger Township, Elk County, Pennsylvania; copies of two oaths of voters and witnesses

of an election held November 5, 1878, in Highland Township, Elk County, Pennsylvania; copies of two oaths of voters and witnesses of an election held November 5, 1878, in Millstone Township, Elk County, Pennsylvania; copies of four oaths of voters and witnesses of an election held November 5, 1878, in Saint Mary's Borough, Elk County, Pennsylvania.

Q. Who made those copies?—A. I did.

Q. From what did you make them?—A. From the originals on file in my office.

Q. In whose charge and custody are those originals?—A. In my charge and custody.

Q. State whether or not you have carefully compared those copies with the several originals on file in your office.—A. I have.

Q. State whether each of those copies is a full, complete, entire, and critically exact copy of the original oath or affidavit of which it purports to be a copy as returned from the election districts of Benzinger, Highland, Millstone, and Saint Mary's Borough, and remaining on file in the prothonotary's office of Elk County, Pennsylvania.—A. Yes, sir.

Q. Did you make, sign, and cause the seal of the court of common pleas of Elk County to be affixed to the certificate attached to each of these paper?—A. Yes, sir.

Q. State whether or not these papers contain copies of all the oaths or affidavits of voters and their witnesses at the November election, 1878, returned from the election districts of Benzinger, Highland, Millstone, and Saint Mary's Borough.—A. All that I find on file.

(Counsel for contestee offers oaths or affidavits proved by the witnesses as follows :

1st. Six oaths or affidavits of voters and their witnesses in Benzinger Township, hereto attached and marked Exhibit R.

2d. Two oaths or affidavits of voters and witnesses in Highland Township, hereto attached and marked Exhibit S.

3d. Two oaths or affidavits of voters and witnesses in Millstone Township, hereto attached and marked Exhibit T.

4th. Four oaths or affidavits of voters and witnesses in Saint Mary's Borough, hereto attached and marked Exhibit U.)

Cross-examined by C. H. McCAULEY, Esq. :

Q. Of what are you captain?

(Objected to by counsel for contestee as not cross-examination.)

A. Of Company H, Seventeenth Regiment, Fifth Brigade, Fifth Division, National Guards of Pennsylvania, and I expect to be aid-de-camp to the next governor, on his staff.

Q. How old are you?—A. Forty-two years old. I feel as though I was twenty-five.

Q. Where were you born?—A. I was born, sir, in the city of Philadelphia.

Q. Did you vote in Ridgway Township, November 5, 1878, for any person for the office of member of Congress for the twentieth Congressional district of the State of Pennsylvania, and, if so, for whom?

(Objected to by counsel for contestee as irrelevant, not cross-examination.)

A. Yes, sir; I did. I voted for Yocum, and I am sorry for it.

Redirect :

Q. To what political party do you belong?—A. I am a Democrat to the backbone, and I expect the next governor will be a Democrat.

Recross-examination :

Q. How came you to vote for Yocum?—A. At the request of Mr. Grant, a friend of mine.

Q. Where does Mr. Grant reside?—A. In Ridgway, Elk County, Pennsylvania.

FREDK. SCHOENING.

Counsel for contestee offers in evidence the several notices and subpoenas hereto attached, and under which these depositions were taken.

Erasures and interlineations.

The word "aye" erased in line 21, page 6.

The words "before February election last" interlined in line 26, page 7.

The word "political" interlined in line 9, page 8.

The words "that I" erased in line 2, page 10.

The word "house" interlined in line 11, page 12.

The word "the" erased in line 2, page 20.

The word "aros" erased in line 4, page 20.

The word "tell" erased in line 24, page 20.

The word "request" interlined in line 24, page 20.

The words "if," "did" erased in line 8, page 21.

The words "I don't know that" erased in line 28, page 21.

The word "the" erased in line 19, page 24.

The words "A young" erased in line 21, page 25.

The word "perhaps" erased in line 14, page 25.

The words "The counsel for the contestee having examined" erased in line 4, page 27.

The word "and" erased in line 24, page 27.

The word "after" erased in line 28, page 30.

The word "February" erased in line 15, page 34.

The word "March" interlined in line 15, page 34.

The words "Were these orders" erased in line 25, page 36.

The word "been" erased in line 8, page 38.

The word "been" interlined in line 8, page 38.

The word "not" interlined in line 14, page 38.

The word "house" interlined in line 26, page 40.

The word "not" erased in line 27, page 41.

The letter "H" erased in line 25, page 43.

The word "see" interlined in line 8, page 44.

The word "during" erased in line 22, page 44.

The word "he" interlined in line 30, page 45.

The word "you" interlined in line 28, page 48.

The words "have you lived" interlined in line 7, page 51.

The words "Didn't the P." erased in line 4, page 52.

The word "did" erased in line 26, page 52.

The word "that" interlined in line 5, page 53.

The word "and" erased in line 10, page 53.

The word "or" interlined in line 10, page 53.

The word "what" erased in line 5, page 54.

The word "immediately" interlined in line 18, page 54.

The word "not" interlined in line 5, page 60.

The words "It is" erased in line 6, page 60.

The word "objected" erased in line 23, page 62.

The word "votes" erased in line 32, page 63.

The word "were" erased in line 1, page 64.
The word "place" interlined in line 9, page 64.
The word "left" interlined in line 8, page 65.
The word "paid" erased in line 8, page 65.
The figures "1878" interlined in line 32, page 67.
The word "Daniel" interlined in line 17, page 69.
The word "Arnold" interlined in line 21, page 70.
The word "and" interlined in line 7, page 71.
The word "November" erased in line 13, page 75.
The word "now" erased in line 19, page 75.
The words "I cannot say" erased in line 14, page 76.
The words "It is" interlined in line 8, page 78.
The word "and" erased in line 18, page 79.
The word "did" erased in line 19, page 79.
The words "there being" interlined in line 23, page 81.
The words "there being" interlined in line 30, page 81.
The word "the" interlined in line 9, page 82.
The words "of their" interlined in line 10, page 82.
The word "with" erased in line 10, page 82.
The words "that tax" interlined in line 3, page 83.
The word "proper" erased in line 30, page 83.
The word "their" erased in line 31, page 83.
The word "esq." erased in line 11, page 85.
The word "witnesses" erased in line 19, page 85.
The word "voters" interlined in line 19, page 85.
The word "times" interlined in line 8, page 86.
The word "Daniel" interlined in line 28, page 90.
The words "at any" erased in line 31, page 90.
The word "we" erased in line 31, page 94.
The word "I" interlined in line 31, page 94.
The words "in chief" erased in line 1, page 98.
The word "spring" interlined in line 27, page 98.
The word "for" erased in line 26, page 100.
The word "of" interlined in line 26, page 100.
The letter "h" interlined in line 22, page 103.
The words "What is your name?" erased in line 23, page 103.
The word "your" erased in line 7, page 104.
The letter "h" interlined in line 12, page 104.
The word "him" erased in line 6, page 109.
The word "they" erased in line 23, page 111.
The word "you" interlined in line 23, page 111.
The word "since" interlined in line 24, page 111.
The word "for" erased in line 6, page 113.
The words "State and county tax for" interlined in line 3, page 115.
The words "for whom" interlined in line 22, page 115.
The word "that" erased in line 22, page 115.
The word "contain" interlined in line 21, page 115.
The words "George W. Clinton" erased in line 29, page 116.
The word "and" erased in line 4, page 117.
The word "George" erased in line 8, page 117.
The words "Did you give" erased in line 9, page 117.
The word "not" interlined in line 29, page 117.
The word "or" erased in line 31, page 122.
The word "printed" erased in line 1, page 123.
The word "yes" erased in line 6, page 123.
The word "yes" interlined in line 6, page 123.

- The words "I voted" interlined in line 30, page 125.
The word "you" interlined in line 16, page 126.
The letter "B" interlined in line 21, page 127.
The words "Did you" erased in line 26, page 128.
The words "upon the ticket" interlined between the lines 5 and 6, page 126.
The word "assessed" interlined in line 21, page 126.
The word "How" interlined in line 7, page 131.
The words "In money" erased in line 7, page 131.
The words "itself being" erased in line 28, page 134.
The word "that" erased in line 31, page 135.
The word "Thomas" interlined in line 7, page 136.
The words "That a conversation" interlined in line 30, page 136.
The word "he" interlined in line 19, page 138.
The word "tax" interlined in line 2, page 140.
The word "account" erased in line 2, page 140.
The word "were" interlined in line 12, page 140.
The word "the" interlined in line 31, page 140.
The word "your" erased in line 31, page 140.
The word "what" erased in line 19, page 141.
The word "in" interlined in line 7, page 141.
The word "and" interlined in line 6, page 142.
The word "Wat" erased in line 26, page 143.
The word "Recross" erased in line 18, page 144.
The word "party" interlined in line 19, page 144.
The word "Where" erased in line 24, page 146.
The words "you lived" interlined in line 26, page 146.
The words "Did you" interlined in line 7, page 147.
The word "of" interlined in line 18, page 148.
The words "either of" erased in line 20, page 148.
The word "these" erased in line 21, page 148.
The words "and upon which" "and" erased in line 8, page 151.
The words "the State of" interlined in line 20, page 152.
The word "mistake" interlined in line 32, page 153.
The words "I believe not" erased in line 18, page 154.
The word "Recross" erased in line 25, page 154.
The words "this winter, I couldn't say just where" interlined between lines 6 and 7, page 159.
The words "the office of" interlined in line 8, page 159.
The word "district" interlined in line 8, page 161.
The word "township" erased in line 8, page 161.
The words "How old are you?" erased in line 4, page 163.
The figures "1878" erased in line 27, page 163.
The words "by the several affiants" interlined in line 1, page 166.
The word "The" erased in line 12, page 166.
The words "I think" erased in line 9, page 168.
The word "it" interlined in line 12, page 168.
The word "hear" interlined in line 6, page 169.
The word "the" erased in line 21, page 169.
The letter "W" interlined in line 6, page 170.
The words "eight years" interlined between lines 17 and 18, page 170.
The word "tax" erased in line 23, page 170.
The word "at" erased in line 3, page 171.
The word "for" interlined in line 3, page 171.
The word "party" interlined in line 10, page 171.

- The word "Cross" erased in line 10, page 171.
- The words "did you" erased in line 19, page 173.
- The words "To whom" interlined in line 19, page 173.
- The words "Cross-ex" erased in line 5, page 174.
- The word "Red" erased in line 19, page 177.
- The word "receipt" erased in line 24, page 178.
- The words "at least" interlined in line 20, page 179.
- The word "in" erased in line 13, page 181.
- The word "of" erased in line 2, page 182.
- The word "or" interlined in line 2, page 182.
- The words "and I" erased in line 8, page 182.
- The word "James" erased in line 15, page 182.
- The word "Charles" interlined in line 15, page 182.
- The words "to G" erased in line 14, page 185.
- The words "of Elk" erased in line 6, page 186.
- The word "sworn" erased in line 20, page 186.
- The word "affirmed" interlined in line 20, page 186.
- The words "whether I or Mr. Hovencamp" interlined in line 31, page 187.
- The word "that" interlined in line 26, page 191.
- The word "bolten" erased in line 6, page 194.
- The word "Was" erased in line 9, page 194.
- The word "Tel" erased in line 1, page 197.
- The word "registry" interlined in line 1, page 198.
- The word "quite" erased in line 11, page 200.
- The word "will" erased in line 6, page 203.
- The word "first" interlined in line 31, page 204.
- The words "town of" interlined in line 25, page 205.
- The words "one thing" interlined in line 12, page 206.
- The word "man" erased in line 20, page 208.
- The word "the" interlined in line 24, page 216.
- The words "if any" interlined in line 14, page 218.
- The word "know" interlined in line 22, page 224.
- The words "and books" interlined in line 27, page 226.
- The words "attached" erased in line 11, page 242.
- The word "be" interlined in line 31, page 244.

STATE OF PENNSYLVANIA,

Elk County, ss :

I, H. M. Powers, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the captions to these depositions, and subscribed their names to their respective depositions in my presence, and that the questions and answers were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses. And I do further certify that the erasures and interlinations made therein and particularly set forth on pages 246, 247, 248, 249, 250, 251, were made by me on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses, and the notices of the times and places when and where the said witnesses would be examined, and the several exhibits offered in evidence, are hereto attached.

Witness my hand and notarial seal this 14th day of April, 1879.

[SEAL.]

H. M. POWERS,
Notary Public.

EXHIBIT A.

Register of the qualified voters residing within the election district of Benzinger Township, Elk County, Pennsylvania, 1878.

- | | |
|---------------------------|-------------------------------|
| 1 Anthony Bernard | 7 Campbell, Andrew |
| 2 Auman, Mathias | 8 Corby, John |
| 3 Andreas, Peter | 9 Chapman, Nicholas |
| 4 Anderson, Jacob | 10 Chestney, Wm. |
| 5 Allonson, John | 11 Clima, Sigfrid, Rev. |
| 6 Allen, William | 12 Clemes, Michael |
| 1 Busch, Paul | 13 Craig, Thomas |
| 2 Breindel, John B., jr. | 14 Crow, Thimothe |
| 3 Buchheit Xaver, sr. | 15 |
| 4 Bauer, Wolfgang | 1 Distler, Andrew |
| 5 Bauer, George | 2 Dawald, Nich. |
| 6 Biery, Benedict | 3 Deth, John G. |
| 7 Bauer, John | 4 Daniel, Theodor |
| 8 Bauer, Joseph | 5 Dawald, Peter |
| 9 Baumer, Mich. | 6 Decker, George |
| 10 Bindel, John | 7 Dippold, Martin |
| 11 Buchheit, Alois | 8 Distler, John |
| 12 Bauer, Anthony | 9 Distler, Joseph |
| 13 Birner, George | 10 Dippold, Andrew |
| 14 Brechtel, Mich. | 11 Deth, John |
| 15 Brehm, Albert | 12 Distler, John G. |
| 16 Bille, Antony | 13 Desch, Ignatius |
| 17 Bauer, Baptist | 14 Dagaber, Gillis |
| 18 Bauer, George | 1 Ehrig, F. Anton |
| 19 Bobenrieth, Anthony | 2 Ehmmer, Casper |
| 20 Berry, Matthew | 3 Eckert, Joseph |
| 21 Bloessel, Joseph | 4 Eberl, Paul |
| 22 Breindel, John B., sr. | 5 Ernst, Thomas |
| 23 Breindel, George | 6 Eisgruber, Joseph, sr. |
| 24 Breindel, Simon | 7 Eckert, John, sr. |
| 25 Buchheit, Xaver, jr. | 8 Engelbrecht, Celestin, Rev. |
| 26 Bauer, Leonard | 9 Erusberger, John |
| 27 Bauer, Peter | 10 Eckert, John, jr. |
| 28 Babel, Edward | 11 Eisgruber, Joseph, jr. |
| 29 Bernhard, Joseph | 12 Evers, Anton |
| 30 Bauer, Michael | 13 Eigensberger, Gabriel |
| 31 Burkee, Anthony | 14 Eddy, Joseph |
| 32 Barker, William | 1 Fries, Joseph |
| 33 Bauer, John | 2 Friedel, John |
| 34 Bierner, Lorenz | 3 Fuchs, George M. |
| 35 Bielle, John | 4 Fritz, John |
| 36 Black, James | 5 Fritz, Francis C. |
| 37 Birk, Edward | 6 Feile, John |
| 38 Bauer, George | 7 Fritz, George |
| 39 Brechtel, Andrew R. | 8 Frey, Francis |
| 1 Cashman, Michael | 9 Funk, John |
| 2 Corby, Joseph | 10 Feldbauer, Mich |
| 3 Cassity, Francis | 11 Flemmings, James |
| 4 Corby, John Christ | 12 Funk, N. John |
| 5 Chalmers, John | 13 Feldbauer, George |
| 6 Clohessy, Michael | 14 Friedel, Conrad |

- | | |
|-------------------------|----------------------------|
| 15 Flederman, Henry | 17 Hoffman, Anton |
| 16 Flederman, August | 18 Hanes, Drines |
| 17 Funk, Conrad | 19 Hanes, John |
| 18 Fehily, Moris | 20 Herbststreet, Martin |
| 19 Friedel, Joseph | 21 Hanes, Fred |
| 20 Feldbauer, Joseph | 22 Hanhauser, Lewis |
| 21 Feldbauer, Michael | 23 Hanes, D. C. |
| 22 Fischer, George | 24 Hoffman, Henry |
| 23 Fuchs, George | 25 Howard, John |
| 24 Finkler, Philip | 26 Hanes, D. H. |
| 25 Flemmings, Pat. | 27 Harvay, Michael |
| 26 Flemmings, John | 28 Horach, Dominick |
| 1 Gerber, Joseph | 29 Halbe, Peter |
| 2 Gross, William | 30 Horne, David |
| 3 Gross, Joseph | 31 Haines, J. F. |
| 4 Geitner, George | 1 Jesberger, Adam |
| 5 Glass, Mathias | 2 Jung, Peter |
| 6 Gahn, Erhard | 3 Jung, Philip |
| 7 Gausman, Wm. | 4 Jung, Joseph |
| 8 Goetz, Sebastian | 5 Jesberger, John |
| 9 Gahr, Lorenz | 6 Jonston, Robert |
| 10 Groll, John | 7 Jonston, Joseph |
| 11 Gregory, George | 8 Jonston, J. H. |
| 12 Geier, Adam | 1 Krieg, John |
| 13 Glass, Andrew | 2 Kangle, Mathias |
| 14 Geitner, John B. | 3 Kerner, Joseph |
| 15 Gausman, Gerhard | 4 Kerner, George |
| 16 Geitner, John N. | 5 Kreis, John |
| 17 Goetz, Joseph | 6 Keiser, Ignatius |
| 18 Gregory, John | 7 Keller, Francis |
| 19 Goetz, Leonard | 8 Krieg, J. G. |
| 20 Groll, Fred | 9 Kroeckel, Philip |
| 21 Goetz, Anton | 10 Kroeckel, John |
| 22 Griebel, John | 11 Krotzinger, Ignatius |
| 23 Gausman, Herman | 12 Kerner, Thomas |
| 24 Geary, T. J. | 13 Kugler, John |
| 25 Geitner, John | 14 Kronnenwetter, Joseph |
| 26 Gerrity, Thomas | 15 Kroeckel, Jacob |
| 27 Glover, Charles R. | 16 Knecht, William |
| 28 Gardner, Silas | 17 Kain, Daniel |
| 1 Hoffman, Anthony | 18 Karl, John |
| 2 Hummel, Paul | 19 Kronnenwetter, Charles |
| 3 Hahner, John | 20 Kaul, Andrew |
| 4 Hoffman, Henry | 21 Kronnenwetter, Nick |
| 5 Hennebel, Joseph | 22 Kriegel, John |
| 6 Herbststreet, Peter | 23 Kaul, John |
| 7 Hasselman, George | 24 Kroeckel, John |
| 8 Henberger, Joseph | 25 Krieg, Joseph |
| 9 Haberberger, Clemence | 26 Krieg, John |
| 10 Hoffman, Conrad | 27 Keiser, Joseph |
| 11 Hanes, Joseph | 28 Kronnenwetter, Jo., jr. |
| 12 Heaney, Cornelius | 29 Kroeckel, Chrisostomus |
| 13 Hase, John | 30 Kriegel, Wolfgang A. |
| 14 Hanes, Wilberth | 31 Krieg, George |
| 15 Heindel, John | 32 Krieg, Anthony |
| 16 Hoffman, Joseph | 33 Karlson, John |

- | | |
|------------------------|---------------------------|
| 34 Klexner, Pete | 4 Pilz, Xaverius |
| 35 Kaiser, Benedict | 5 Packham, B. R. |
| 36 Kramer, William | 6 Prince, E. M. |
| 1 Lenze, Andrew | 7 Punchen, David |
| 2 Lenzel, Michael | 8 Puncheon, Wm. |
| 3 Lawlor, Michael | 1 Quain, John |
| 4 Loesch, F. Anthony | 1 Russman, Felix |
| 5 Leitner, Christopher | 2 Rast, Severin |
| 6 Loechner, William | 3 Reederer, Peter |
| 7 Lenzel, Joseph | 4 Ritter, Charles |
| 8 Lingel, Joseph | 5 Reuscher, George |
| 9 Lecker, George | 6 Roetzer, Pius |
| 10 Lanzel, John | 7 Redant, Dominick |
| 11 Lecker, Francis | 8 Ratchford, Thomas |
| 12 Leslie, Thomas | 9 Rogan, Andrew |
| 13 Lebir, George | 10 Russel, Hiram |
| 14 Lebir, Florence | 11 Reed, Levi |
| 15 Lewellyn, J. | 12 Ritter, Leonard |
| 16 Leslie, David | 13 Riedl, William |
| 17 Lecker, Francis | 14 Robertson, Robert |
| 18 Lony, M. Wm. | 15 Rembold, Conrad |
| 19 Low, James | 16 Russel, Allavan |
| 20 Low, Thomas | 17 Robertson, George |
| 1 Meier, John G. | 18 Russel, Oliver |
| 2 Munich, Anthony | 1 Shannen, Hugh |
| 3 Meyer, John M. | 2 Sullivan, John |
| 4 Merz, George | 3 Selle, George |
| 5 Melloy, John | 4 Schwabenbauer, M., jr. |
| 6 McKinley, John | 5 Schubert, Michael |
| 7 McMorow, James | 6 Schmithbauer, John |
| 8 Mertel, John | 7 Schoening, Gerhard |
| 9 Milison, Jacob | 8 Schinabeck, Michael |
| 10 Morony, John | 9 Semmel, Andrew |
| 11 Munich, Joseph | 10 Schneider, Jacob |
| 12 McGeehin, Pat. | 11 Sorg, Martin |
| 13 Murphy, Michael | 12 Schauer, Joseph |
| 14 Mellany, Pat. | 13 Schoeberl, Michael |
| 15 McCoy, Wilber | 14 Sorg, Xaver |
| 16 Morgan, George | 15 Schubert, Jacob |
| 17 McCan, Milton | 16 Schwabenbauer, M., sr. |
| 18 McDougale, Wm. | 17 Schmith, George |
| 19 Miller, Wm. | 18 Schneider, Paul |
| 1 Nicklas, Wolfgang | 19 Sicker, Henry |
| 2 Nissel, Sebastian | 20 Shneden, James |
| 3 Nissel, George | 21 Schneider, Charles |
| 4 Nist, Jacob | 22 Sullivan, Marty |
| 5 Neubert, Valentin | 23 Staufer, George |
| 6 Nissel, John | 24 Shittle, Joseph |
| 7 Nissel, John | 25 Schneider, Casper |
| 8 Newmiller, Joseph | 26 Sykes, Joshua |
| 9 Nicklas, Michael | 27 Stephen, Henry |
| 1 O'Danel, Michael | 28 Schade, Evens |
| 2 O'Mil, John | 29 Seel, Peter |
| 4 Patton, Joseph | 30 Seely, Simon |
| 2 Propy, Patrick | 31 Swanson, Benjamin |
| 3 Pohler, Charles | 32 Schoeberl, Mich., jr. |

- | | |
|-------------------------|---------------------------|
| 33 Smith, Christ | 13 Wilhelm, John, sr. |
| 34 Schwarz, John | 14 Wittman, John |
| 35 Schoeberl, Sebastian | 15 Wendel, George |
| 36 Straub, Peter N. | 16 Weis, George E. |
| 37 Stevens, E. K. | 17 Welsch, Rogers |
| 38 Sweeny, Pat. | 18 Wernoth, Francis |
| 39 Sweeny, Michael | 19 Weis, Fred. |
| 40 Schneider, Francis | 20 Wittman, Michael, sr. |
| 41 Schneider John | 21 Wittman, Michael, jr. |
| 42 Shirk, J. D. | 22 Wittman, Michael |
| 43 Scaif, Wm. | 23 Wurm, Peter Anthony |
| 44 Simpson, Richard | 24 Wilhelm, Peter |
| 45 Steel, David | 25 Wittman, Joseph |
| 46 Schmit, John | 26 Wernot, Alois |
| 1 Tirney, Thimothé | 27 Winship, Henry |
| 2 Tirney, John | 28 Wortman, Bernard |
| 3 Tirney, Eugene | 29 Williams, Thomas |
| 4 Tracey, Urban, Rev. | 30 Wichman, Fred. |
| 5 Tombkilm, Livory | 31 Wiga, Joseph |
| 6 Thomas, Lewis | 32 Wiga, Wendel |
| 7 Terbert, Robert | 33 Wiga, Leonard |
| 8 Taylor, John | 34 Weidenboerner, Francis |
| 1 Uhl, Christopher | 35 Werner, John |
| 1 Volmer, J. J. | 36 Wehler, Jost R. |
| 1 Wesnitzer, Bernard | 37 Welsh, Charles |
| 2 Wittman, Mathias | 38 Welkee, Joseph |
| 3 Wortman, Christian | 39 Wyse, Harry |
| 4 Wiga, Martin | 40 Walter, George |
| 5 Werner, Joseph | 41 Weis, Edward W. |
| 6 Wendel, John | 42 Wyliey, John |
| 7 Wolf, Andrew | 43 Wallwork, Jose |
| 8 Willhelm, John, jr. | 44 Wilson, John |
| 9 Wick, Joseph | 45 Wertz, Daniel |
| 10 Wittman, Leonard | 46 Walker, J. H. |
| 11 Wernoth, August | 1 Zimmet, Michael |
| 12 Weigel, Wolfgang | 2 Zimmet, Adam |

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, W. S. Horton, clerk for the commissioners of Elk County, Pennsylvania, do hereby certify that I have carefully compared and critically examined the foregoing pages, and that they contain a true and correct copy of the registry-list of voters in the election district of Benzinger Township, said county, for the year 1878, so full and entire as the same remains on file in the commissioners' office of Elk County.

Witness my hand and the seal of said office this 26th day of March, A. D. 1879.

[SEAL.]

W. S. HORTON,
Commissioners' Clerk.

EXHIBIT B.

Register of the qualified voters residing within the election district of Highland Township, Elk County, Pennsylvania, 1877.

- | | |
|-----------------|----------------------|
| 1 Abbott, John | 1 Bean, Albert |
| 2 Annaple, John | 2 Bartholomew, Frank |

1 Cole, Wm. S.
 2 Campbell, Thomas
 3 Couch, James
 4 Conaway, Mike
 1 Davis, Dallas
 2 DeLong, Hugh
 1 Eliason, Knut
 2 Elerthorp, Levi
 3 Elerthorp, Henry O.
 4 Elerthorp, Chas. A.
 5 Erickson, John, sen.
 6 Ericksin, John, jun.
 1 Fetzner, Wm.
 1 Gorden, A. M.
 2 Gorden, Herman
 3 Gorden, Ed.
 1 Hovencamp, Emit
 2 Hovencamp, Frank
 3 Hays, Robert
 4 Hicks, Wm.

1 Kasselhock, Rosel
 2 Leroy, F. V.
 3 Lair, Edward
 1 Morris, Charles
 2 Mchale, John
 3 Nickerbocker, B. J.
 1 Pierce, Ogden
 1 Stubbs, Wm.
 2 Smith, George
 3 Sheely, Wm.
 4 Sheely, Peter C.
 5 Smathers, Henry
 1 Terry, John
 1 Underwood, Rufus
 1 Vankirk, Theodore
 2 Vankirk, John
 1 Wonderly, Robert
 2 Wonderly, John
 3 Winslow, David
 1 Yonson, Andrew

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, W. S. Horton, clerk for the commissioners of Elk County, Pennsylvania, do hereby certify that I have carefully compared and critically examined the foregoing pages, and that they contain a true and correct copy of the registry-list of voters in the election district of Highland Township for the year 1878, so full and entire as the same remains on file in the commissioners' office of Elk County.

Witness my hand and the seal of said office this 26th day of March, A. D. 1879.

[SEAL.]

W. S. HORTON,
Commissioners' Clerk.

EXHIBIT C.

Register of the qualified voters residing within the election district of Millstone Township, Elk County, Pennsylvania, 1877.

Aharah, Henry
 Blair, C.
 Brocius, H. H.
 1. Clyde, Wm.
 2. Clyde, T. G.
 3. Clyde, H. J.
 4. Catzs, H.
 5. Crow, Thompson
 6. Crispin, Jesse
 1. Dehaven, George
 2. Danehey, J. W.
 3. Donahey, G. D.
 4. Dunn, Wm.
 1. Fee, Lawrence
 1. Hoff, G. C. T.
 2. Heater, Alonzo
 3. Hoover, Jeremiah
 4. Hoffman, M. B.

5. Hydinger, J. H.
 6. Himes, Reuben
 7. Hayte, John
 1. Ishman, Elias
 1. Johnson, Israel
 1. Kelly, Wm.
 1. Moore, H. C.
 2. Moore, S. M.
 3. Moore, Kenedy
 4. Maby, E. W.
 5. Meddock, Gale
 6. McManagle, Hugh
 1. Painter, Wm. P.
 2. Painter, R. M.
 3. Painter, J. H.
 4. Parrott, Godfrey
 5. Parker, L. M.
 1. Reynolds, G. M.

1. Shaffer, J. A.
2. Shaffer, M. V.
3. Shaffer, Wm. C.
4. Shaffer, J. L.
5. Smith, G. W.

6. Slyhoff, Thomas
1. Walters, Frank
1. Vanhorn, Saml.
- Zimmerman, Adam.

STATE OF PENNSYLVANIA,

County of Elk, ss:

I, W. S. Horton, clerk for the commissioners of Elk County, Pennsylvania, do hereby certify that I have carefully compared and critically examined the foregoing pages, and that they contain a true and correct copy of the registry-list of voters in the election district of Millstone Township, said county, for the year 1878, so full and entire as the same remains on file in the commissioners' office of Elk County.

Witness my hand and the seal of said office this 26th day of March, A. D. 1879.

[SEAL.]

W. S. HORTON,
Commissioners' Clerk.

EXHIBIT D.

Register of the qualified voters residing within the election district of Saint Mary's Borough, Elk County, Pennsylvania, 1878.

- | | |
|-----------------------|-----------------------|
| 1 Auman, Anthony | 25 Benninger, Anthony |
| 2 Ames, W. W. | 26 Bernhart, Fred. |
| 3 Aves, Anthony | 27 |
| 4 Aves, Frank | 28 |
| 5 Auman, Wolfgang | 1 Cotter, James |
| 6 Auman, George | 2 Clokey, Michael |
| 7 Atley, Charles D. | 3 Cloky, William |
| 8 Altman, Joseph | 4 Clison, Pat. |
| 9 Alweans, Eugene | 5 Cooper, Wilson |
| 1 Bauer, Michael | 6 Corsan, John |
| 2 Butsch, John, sr. | 7 Corsan, James |
| 3 Benninger, Anthony | 1 Dietle, Christopher |
| 4 Brunner, Michael | 2 Dornish, Michael |
| 5 Blakly, James | 3 Ditz, Lorenz |
| 6 Bayer, Louis | 4 Ditz, Joseph |
| 7 Butsch, John B. | 5 Delge, John |
| 8 Blasle, Joe | 6 Dippold, Andrew |
| 9 Brandon, G. C. | 7 Dihl, Joseph |
| 10 Busch, John | 8 Dollinger, John |
| 11 Brem, Andrew | 9 Dornish, John |
| 12 Belecke, Joseph | 10 Davis, John |
| 13 Biberger, George | 11 Davis, Tobe |
| 14 Butsch, Michael C. | 12 Davis, J. F. |
| 15 Borden, Josiah | 13 Dolhen, John |
| 16 Burke, Thomas J. | 14 Ditz, George |
| 17 Becker, Mathias | 15 Denton, Josiah |
| 18 Brunner, Joseph | 1 Eckel, Joseph |
| 19 Braniff, William | 2 Erick, Xaver |
| 20 Blend, Wolfgang | 3 Emert, John |
| 21 Braun, John | 4 Eschmann, Peter |
| 22 Braun, Ruber | 5 Eldridge, D. |
| 23 Biddle, J. W. | 6 Everet, George |
| 24 Bechert, Anthony | 1 Fochtman, Anthony |

2 Frey, Michael
 3 Fornbauer, Frank
 4 Fey, Henry
 5 Fisher, Philip
 6 Forster, John
 7 Freindel, Adam
 8 Freindel, Christopher
 9 Freindel, Matthew
 10 Fulkner, M. S.
 11 Fochtman, Henry
 12 Fochtman, John
 13 Frey, M. F.
 14 Fleddermann, Arnold
 15 Frank, John
 16 Fey, Frank
 17 Frank, George
 18 Frank, Joseph
 19 Freindel, John
 20
 21
 22

1 Glatt, Valentine
 2 Gleixner, Peter
 3 Gifford, L. W.
 4 Garner, Charles
 5 Garner, Ignatius
 6 Gerber, John
 7 Geisenhofer, John
 8 Gerg, Francis
 9 Gerg, Michael
 10 Gerg, Anthony
 11 Gerg, Mathias
 12 Gies, Louis
 13 Gies, William
 14 Geier, Frank
 15 Garner, L. H.
 16 Groll, John
 17 Gary, Daniel
 18 Geck, Andrew
 19 Gerridy, Thomas
 20 Gormann, Edward
 21 Gress, Thomas
 22 Griner, Tobias
 1 Hans, Michael
 2 Hanhauser, Joseph
 3 Hauber, Sebastian
 4 Hall, J. K. P.
 5 Hoffmann, George
 6 Hagerl, Michael
 7 Hagerl, John
 8 Hathern, George
 9 Haas, John
 10 Hays, Mat.
 11 Hein, Robert
 12 Hall, B. Frank
 13 Hahn, George

14 Hoffmann, J. Ulrich
 15 Halbert, Peter
 16 Hainy, Elias
 17 Hainy, Samuel
 18 Halligan, Nic.
 19 Hoffmann, John
 20 Hays, Pat
 21 Hartmann, W. B.
 22 Hays, James
 23
 24
 1 Imhof, George
 1 Jesberger, Anthony
 2 Jacob, Joseph
 3 Jacob, John
 4 Jacob, Joseph, jr.
 1 Kraus, Jacob
 2 Krellner, George
 3 Keller, Francis
 4 Keller, Frank Joseph
 5 Keller, John
 6 Kraft, Joseph
 7 Kerner, Joseph, jr.
 8 Kenot, Frederick
 9 Kuhn, Arthur S. M.
 10 Krug, John
 11 Kraus, John
 12 Kelly, Samuel
 13 Kleiber, Fritz
 1 Luhr, Joseph
 2 Luhr, Charles
 3 Luhr, Frank
 4 Loeffler, Alois
 5 Loeffler, Frederick
 6 Loeffler, Henry
 7 Loeffler, Mathias
 8 Luhr, Henry
 9 Lechner, Casper
 10 Lechner, Charles
 11 Lechner, Xaver
 12 Lawrence, D. F.
 13 Lentz, E.
 14 Locken, John A.
 15 Leytner, John, jr.
 16 Louis, Samuel
 17 Loichinger, George
 18 Liebel, Bernhart
 1 Miller, Ferdinand
 2 Max, Mathias
 3 Miller, Theodore
 4 McBride, Edward
 5 McGill, C. R.
 6 McNally, Michael
 7 McVean, Charles
 8 Meyer, Joseph
 9 Meyer, John

- | | |
|------------------------|---------------------------|
| 10 Miller, Fred. | 23 Schaut, Alois |
| 11 Marquart, Conrad | 24 Strubel, Peter |
| 12 Mecum, Jerry | 25 Sykes, Thomas |
| 13 McQuone, Arthur | 26 Simons, John |
| 14 Madara, Samuel | 27 Simons, William |
| 15 McDevitt, James | 28 Soleder, Joseph |
| 16 Meisel, Andrew | 29 Schreiber, John |
| 17 McCarty, John | 30 Schalmers, John |
| 18 Maiser, Charles | 31 Schlimm, Joseph |
| 19 McAvoy | 32 Stamm, John |
| 20 Meagher, Will. | 33 Solder, John |
| 21 Meyer, F. Joseph | 34 Schwarzfischer, John |
| 22 Moring, John | 35 Smith, Joseph |
| 23 Murphy, James | 36 Sieger, Joseph |
| 24 Mutterbach, J. A. | 37 Sauerwald, Fred. |
| 25 Miller, Charles | 38 Schuller, John |
| 26 McCarty, Michael | 39 Schauer, Joseph |
| 1 Nicolaus, Martin | 1 Tegler, Herman |
| 1 Paulus, Jerry | 2 Tyler, Jerod |
| 2 Paulus, Joseph | 3 Tyler, John |
| 3 Paritus, Leonard | 1 Vollmer, Louis, sr. |
| 1 Rettger, George | 2 Vollmer, Joseph |
| 2 Rettger, Joseph | 3 Vollmer, John A. O. |
| 3 Rudolph, Fred. | 4 Varner, Joseph |
| 4 Rogan, James | 5 Valentine, Thomas |
| 5 Rogan, Pat | 6 Vollmer, John |
| 6 Russ, E. J. | 7 Vollmer, Philip |
| 7 Redecker, Henry | 8 Vollmer, Louis, jr. |
| 8 Riley, Pat. | 9 Volk, Peter |
| 9 Riley, James | 10 Vogel, Lorenz |
| 10 Rightmeyer, William | 1 Weigel, George, sr. |
| 11 Rosenhofer, Joseph | 2 Weigel, George, jr. |
| 12 Rettger, Charles | 3 Wellendorf, Mathias |
| 13 Reif, John | 4 Walker, John, sr. |
| 1 Schafer, George F. | 5 Walker, John, jr. |
| 2 Schissler, Charles | 6 Weidenboerner, Bernhard |
| 3 Schaut, Jacob | 7 Wilhelm, Joseph |
| 4 Schmith, Joseph | 8 Weis, Charles |
| 5 Schaut, George | 9 Windfelder, Joseph F. |
| 6 Sosenheimer, Frank | 10 Windfelder, Joseph |
| 7 Stirnberg, Henry | 11 Weis, Albert |
| 8 Schauer, John | 12 Wilhelm, Peter |
| 9 Stibich, Michael | 13 Weis, George Ed. |
| 10 Schafer, Joseph | 14 Wegmer, John |
| 11 Schafer, Joseph M. | 15 Wittmann, Leonard |
| 12 Schauer, Anthony | 16 Weidenboerner, John |
| 13 Seel, John | 17 Weidenboerner, George |
| 14 Spafford, W. C. | 18 Wimmer, Seb. |
| 15 Sterley, J. B. | 19 Wilhelm, John |
| 16 Severin, Bernhard | 20 Wegmer, Peter |
| 17 Stevens, C. R. | 21 Wittmann, Fisher G. |
| 18 Schaut, Ignatius | 22 Wegmer, Louis |
| 19 Stirnberger, Fred. | 23 Williams, Harry |
| 20 Stover, Joseph | 24 Weigel, John |
| 21 Simbeck, Paulus | 25 Walker, Hermann |
| 22 Schaut, Joseph | 26 Walker, Anthony |

27 Walker, Otto
 28 Wilhelm, Philip
 29 Wilson, Clemens
 30 Weis, Charles, jr.
 31 Walker, Joseph
 32 Wilhelm, Nicolaus
 33 Wilhelm, John, jr.

1 Young, George
 2 Young, William
 1 Zelt, William
 2 Zwack, Joseph
 3 Zwack, John
 4 Zwack, Michael

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, W. S. Horton, clerk for the commissioners of Elk County, Pennsylvania, do hereby certify that I have carefully compared and critically examined the foregoing pages, and that they contain a true and correct copy of the registry-list of voters in the election district of Saint Mary's Borough, said county, for the year 1878, so full and entire as the same remains on file in the commissioners' office of Elk County.

Witness my hand and the seal of said office this 26th day of March, A. D. 1879.

[SEAL.]

W. S. HORTON,
Commissioners' Clerk.

EXHIBIT E.

List of voters who voted in Benzinger district, Elk County, Pennsylvania at the November election, 187-.

1 Frank Warnith
 2 John Breindle
 3 John O'Niel
 4 George Nissel
 5 John Kaal
 6 Joseph Fries
 7 Charles Schneider
 8 Peter Riederer
 9 Michael Cashman
 10 Michael Clements
 11 George Bauer
 12 John Gahn
 13 Michael Glatt
 14 Jacob Malison
 15 Andrew Kaul
 16 Philip Kreakle
 17 George Reuscher
 18 John Kroekle
 19 Morris Fiheley
 20 Joseph Haines
 21 Michael Zimmet
 22 Joseph Wick
 23 Ehrard Gahn
 24 Joseph Young
 25 John Howard
 26 George Wendel
 27 Joseph H. Walker
 28 Martin Sorg
 29 Frank Keisman
 30 Haver Rost
 31 Joseph Keiser

32 George Weis
 33 Joseph Haler
 34 Michael Eugensberger
 35 Joseph Feldbauer
 36 Michael Neubert
 37 T. J. Giery
 38 John Krieg
 39 W. M. Long
 40 John Heindle
 41 Frank Frey
 42 Michael Feldbauer
 43 J. F. Haines
 44 D. H. Haines
 45 Adam Jesberger
 46 John Nissel
 47 George Wiesner
 48 Philip Young
 49 Albert Brehm
 50 George Decker
 51 Joseph Gerber
 52 John Bindle
 53 John Filey
 54 Rev. Siegfred
 55 Chrisostumus ———
 56 John Griebel
 57 Rev. Engelbrecht
 58 Drius Haines
 59 Nicholas Kronenwetter
 60 Theodor Daniel
 61 Fred. Groll
 62 F. X. Sorg

- | | |
|---------------------------|-----------------------|
| 63 Anton Hoffman | 119 Charles Clover |
| 64 Alois Buchheit | 120 John Friedle |
| 65 John Kraeckle, sr | 121 Paul Busch |
| 66 Jacob Kraeckle | 122 Leroy Tompkins |
| 67 Andrew Lenze | 123 Levi Hanhouser |
| 68 Andrew Rogan | 124 Michael Schubert |
| 69 Ambrosius Kraeckle | 125 Wolfgang Weigel |
| 70 Paulus Hummel | 126 John Groll |
| 71 George J. Fritz | 127 James Black |
| 72 James Snaden | 128 Valentine Neubert |
| 73 John Wiley | 129 Levi M. Reed |
| 74 Adam Geier | 130 George Staufer |
| 75 Robert Robertson | 131 Anthony Goetz |
| 76 Andrew Simmel | 132 David Lassley |
| 77 John Funk | 133 Patrick Propy |
| 78 G. J. Krieg | 134 William Gross |
| 79 Thomas Kerner | 135 David Peonchin |
| 80 Christian Wortman | 136 Joseph Gross |
| 81 Joseph Krieg | 137 Wilber Haines |
| 82 Absalom Conway | 138 Benjamin Swansin |
| 83 Michael Wittman | 139 John H. Haines |
| 84 Rev. Trassy | 140 Hileas Degober |
| 85 Leonhard Wittmann | 141 Michael Closey |
| 86 Frank Weidenboerner | 142 John Hayes |
| 87 Christ Shmith | 143 Frank Cassety |
| 88 Frank Keller | 144 P. A. Wurm |
| 89 Jesse Wallworth | 145 Gerhard Schoening |
| 90 Joseph Kerner | 146 Thimaty Crow |
| 91 Peter Herbststreet | 147 John Krieg |
| 92 William Kraemer | 148 George Krieg |
| 93 Wolfgang Nicklas | 149 John Karl |
| 94 John Tierney | 150 John Maloy |
| 95 Joseph Finffinger | 151 Michael Bauer |
| 96 Michael Murphy | 152 Sebastian Nissel |
| 97 Jacob Nist | 153 John Jesberger |
| 98 Valentine Neubert | 154 George Bauer |
| 99 George Geitner | 155 Martin Johnson |
| 100 Benedict Biery | 156 Nick Neubert |
| 101 Laurence Gohr | 157 Jacob Schneider |
| 102 Aspen Schaff | 158 John Wolf |
| 103 John N. Geitner | 159 John B. Britner |
| 104 Martin Herbstret | 160 Harry Weis |
| 105 Peter Dewald | 161 John Funk |
| 106 Joseph Egert | 162 Samuel Wurtz |
| 107 John Wendel | 163 Silas Gardner |
| 108 Michael Schwabenbauer | 164 David Horn |
| 109 Mathias Wittman | 165 Joseph Eddy |
| 110 Joseph Goetz | 166 Joseph Patten |
| 111 Conrad Friedle | 167 B. R. Peckem |
| 112 Lorenz Birner | 168 Luis Thomas |
| 113 Joseph Wegart | 169 Joseph Lanzel |
| 114 Frank Buckheit | 170 Joseph Eisgruber |
| 115 John Allison | 171 Henry Steran |
| 116 Patrick Sweeney | 172 Michael Wittman |
| 117 Peter Gleixner | 173 John Werner |
| 118 Bernard Antony | 174 Henry Hoffman |

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|------------------------|---------------------------|
| 175 August Warnith | 231 John J. Egert |
| 176 John Schmith | 232 Haver Buchheit |
| 177 William Knecht | 233 Jacob Simonus |
| 178 Anton Billy | 234 Michael Lanzel |
| 179 Anton Krieg | 235 Florence Leber |
| 180 John Kugler | 236 Frank Leger |
| 181 Wilber McCoy | 237 Charles Kronenwether |
| 182 Hugh Shannon | 238 George Schmith |
| 183 George Kugler | 239 Peter Andrews |
| 184 John Lanzel | 240 Charles Polen |
| 185 John Wittman | 241 Jacob Schubert |
| 186 John Bauer | 242 Herman Stockman |
| 187 Anthony Gibbons | 243 Domenic Redant |
| 188 Thomas Lassley | 244 John G. Meier |
| 189 John Geitner | 245 Peter Halbe |
| 190 Joseph Munch | 246 James Flemming |
| 191 James McMorro | 247 Joseph Cheattle |
| 192 Joseph Wittman | 248 John Bille |
| 193 Paulus Eberl | 249 Charles Ritter |
| 194 Conrad Reinbold | 250 Jasua Sikes |
| 195 John M. Meier | 251 William Lechner |
| 196 Peter Straub | 252 Ignatius Kaiser |
| 197 Conrad Hoffman | 253 George Gregory |
| 198 Mathias Auman | 254 Joseph Eisgruber |
| 199 George Fisher | 255 George Leger |
| 200 William Searf | 256 Thomas Raughford |
| 201 Christ Leitner | 257 Joseph Werner |
| 202 Adam Luewollen | 258 Joseph Bauer |
| 203 William Pungen | 259 Xaver Pils |
| 204 Jost Wehler | 260 Peter Seel |
| 205 Nicklaus Chapten | 261 Paul Schneider |
| 206 Philip Wehler | 262 Sebastian Schoberl |
| 207 Dair Kain | 263 Andrew Disdler |
| 208 Martey Sullivan | 264 Michael Schwabenbauer |
| 209 Pat. Melany | 265 Ignatius Grotzinger |
| 210 Peter Young | 266 Henry Fletlerman |
| 211 Martin Wigart | 267 Roger Walch |
| 212 John Breindel, sr. | 268 Cornelian Henny |
| 213 Mathew Barry | 269 Thomas Gerily |
| 214 Rubert Johnson | 270 Joseph Hennebel |
| 215 George Breindle | 271 Martin Debold |
| 216 Michael Laller | 272 John N. Flemming |
| 217 George Bierner | 273 Thomas Williams |
| 218 John Schmithbauer | 274 Wolfgang Bauer |
| 219 George Kerner | 275 Michael Scheberl |
| 220 John Egert | 276 Michael Willert |
| 221 John B. Bauer | 277 John Meroney |
| 222 Edward Berk | 278 Andrew Kampal |
| 223 Bernard Wesintzer | 279 James Loallen |
| 224 William Riedle | 280 Peter Wilhelm |
| 225 George Marz | 281 Anton Bobbenread |
| 226 Leonhard Bauer | 282 George Magen |
| 227 Tomas Ernst | 283 Casper Schneider |
| 228 Joseph Corby | 284 Benedict Kaiser |
| 229 Michael Schinebeck | 285 Ulrich Dibert |
| 230 George Walter | 286 Joseph Heiberger |

287 Andrew Depold	311 Patrick Flemming
288 Mathias Glass	312 Charles Weis
289 George Leber	313 John Gregory
290 George Fuchs	314 Engelbert Spellenberg
291 J. J. Volmer	315 Joseph Shauer
292 Michael Brechtel	316 George Hasselman
293 Sebastian Goetz	317 John Schneider, age
294 Frank Fritz	318 Frank A. Ereg
295 John Mertel	319 Leonard Ritter
296 Philip Fingler	320 Joseph Kronsawetter
297 Michael Scheberl	321 George Selle
298 Mathew Gangley	322 Corby Christ
299 Joseph Friedle	323 Stevan Burk
300 Ignacius Detch	324 Anton Bauer
301 Pius Retzer	325 Joseph Kronenwether
302 John Kreis	326 Herman Gausman
303 August Fletterman	327 John Erensberger
304 Alois Wernert	328 John Disdler
305 Peter Wehler	329 D. K. Stevans
306 Clemenc Haberberger	330 Anton Munch
307 Gerhord Gausman	331 Allen Williams
308 Michael Baumer	332 Andrew Glass
309 Nicklaus Dewald	333 John G. Dedt
310 Michael Uhl	

JOHN BRYNDLE,
GEORG DECKER,
Inspectors.
PHILIP YOUNG,
Judge.

Attest:

JOHN C. NISSEL,
GEORGE J. FRITZ,
Clerks.

(Indorsed :) Filed Nov. 7, 1878. Fred. Schoening, clerk and prothonotary.

STATE OF PENNSYLVANIA,
Elk County:

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that I have carefully and critically examined the foregoing pages and find them to contain a true and correct copy of the list of voters who voted at an election held in and for the township of Benzinger, in said county, on the 5th day of November, A. D. 1878, so full and entire as therein stated.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway, this 21st day of February, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT F.

List of voters who voted in Saint Mary's Borough, Elk County, Pennsylvania, November election, 187-.

1 Joseph Schmit	4 Jerry McCurn
2 Simon Madairy	5 George Weidenboerner
3 W. W. Ames	6 R. S. McCune

- | | |
|----------------------------------|--------------------------|
| 7 G. C. Brandon | 63 E. McBride |
| 8 Leonhard Wittman | 64 Jos. Kerner |
| 9 Jos. Redger | 65 Chas. Miller |
| 10 Thomas Grace | 66 Jos. Wilhelm |
| 11 Max Beringer | 67 John E. Weidenboerner |
| 12 J. K. P. Hall | 68 Michael Zwack |
| 13 John Frindle | 69 John J. Batch |
| 14 Mat Frindle | 70 Chas. Otely |
| 15 Harry Williams | 71 John McCardy |
| 16 Pat. Riley | 72 Lorenz Vogel |
| 17 Conrad Marquart | 73 Bernhard Severin |
| 18 Alois Loeffler | 74 Jerry Tyler |
| 19 Tobias Green | 75 Joseph Stoffer |
| 20 Herman Wacker | 76 T. S. Sikes |
| 21 Jos. M. Schaefer ¹ | 77 J. A. Mutterbach |
| 22 John Meyer | 78 J. D. Murphy |
| 23 Ruben Brown | 79 John Logan |
| 24 Chas. Garner | 80 Fred. Miller |
| 25 Philip Wilhelm | 81 Jos. Dietz |
| 26 W. M. Rightmyer | 82 Henry Luhr |
| 27 John F. Davis | 83 James Blakely |
| 28 W. C. Spofford | 84 Lorence Dietz |
| 29 Geo. Bieberger | 85 Niclas Wilhelm |
| 30 Peter Wegwer | 86 George Weigel |
| 31 Mick Hayes | 87 Eugene Lenz |
| 32 J. W. Bidle | 88 John Fox |
| 33 Wolfgang Aaman | 89 Michael F. Frey |
| 34 Philipp Fisher | 90 Peter Wilhelm |
| 35 Bernh. Lebel | 91 Joseph Sporner |
| 36 R. C. McGill | 92 Ignatz Garner |
| 37 C. F. Kenot | 93 Geo. F. Schaefer |
| 38 James McAvoy | 94 Mathias Becker |
| 39 Jos. Sicker | 95 John Hoffman |
| 40 Michael Buesmer | 96 Mathias Gerg |
| 41 Henry Radecker | 97 Jos. Luhr |
| 42 John H. Broakas | 98 L. Paretus |
| 43 Anton Aaman | 99 Chas. Schissle |
| 44 James Riley | 100 F. Jos. Keller |
| 45 John Groll | 101 Eugene Alvance |
| 46 Geo. Redger | 102 Louis Bayer |
| 47 Bernh. Weidenboerner | 103 B. F. Lorence |
| 48 Michael Nicklas | 104 Jos. F. Windfelder |
| 49 Richard Cloaky | 105 Jos. Schaut |
| 50 W. B. Hartman | 106 Chas. Luhr |
| 51 John Leithner, jr. | 107 Michael Haaz |
| 52 James Hayes | 108 Michael Dornish |
| 53 Geo. Witman | 109 John Krug |
| 54 Fred. Gleiber | 110 Geo. Frank |
| 55 Fred. Rudolph | 111 Joseph Solleder |
| 56 Geo. E. Weis | 112 John F. Walker |
| 57 Daniel Geahry | 113 Louis Vollmer, sr. |
| 58 D. Eldrige | 114 Samuel King |
| 59 Henry Sternberg | 115 Michael McCardy |
| 60 James Cutter | 116 Geo. Weigel, sr. |
| 61 J. B. Sterly | 117 Arthur McQuone |
| 62 N. S. Folgtner | 118 Josiah Denton |

- | | |
|-----------------------|-------------------------|
| 119 Peter Struble | 175 Pat. McGeaghen |
| 120 John Gerber | 176 Albert Dippold |
| 121 Geo. Young | 177 Andrew Meisel |
| 122 Geo. Hoffman | 178 John Bimel |
| 123 Mat. Hayes | 179 Geo. Krellner |
| 124 John Delger | 180 Jos. Bruner |
| 125 Valentine Glatt | 181 Anton Bushert |
| 126 Jos. Beleke | 182 Chas. B. Loochner |
| 127 Samuel Lewis | 183 Michael Gerg |
| 128 Alouis Schaat | 184 Jos. Kraft |
| 129 Christ. Freindel | 185 Frank Geier |
| 130 Wm. Brenhoff | 186 Paulus Simbeck |
| 131 Anthony Fochtman | 187 John Schwartzfisher |
| 132 Elias Haing | 188 Frank. Tornbaum |
| 133 Chas. McVean | 189 William Zelt |
| 134 Pat. Rogan | 190 Louis Gies |
| 135 John Salter | 191 Andrew Dippold |
| 136 Joseph Altman | 192 John Schieler |
| 137 Fred. Bernhard | 193 Arnold Flederman |
| 138 Ignatz Schaut | 194 Mathias Loeffler |
| 139 L. W. Gifford | 195 Chas. Meiser |
| 140 Robert Hine | 196 Geo. Schaut |
| 141 Wm. Young | 197 Fred. Sternberger |
| 142 Geo. Hanes | 198 Geo. Harthorn |
| 143 Frk. Hall | 199 Lazarus Lehner |
| 144 John Bush | 200 Jos. Schauer |
| 145 Geo. Efford | 201 Geo. Leuchinger |
| 146 Christ. Dittel | 202 F. X. Sosenheimer |
| 147 John Corren | 203 Geo. Auman |
| 148 James McDevit | 204 J. U. Hoffman |
| 149 John Seel | 205 Anton Jesberger |
| 150 Anton Walker | 206 Jos. Eckl, sr. |
| 151 John Geisenhoff | 207 Lui Wegmer |
| 152 Theodor Miller | 208 John Schreiber |
| 153 Frank Luhr | 209 C. J. Wilson, Dr. |
| 154 John Vollmer | 210 Joseph Paulus |
| 155 Wolfgang Blend | 211 John Frank |
| 156 Jos. Windfelder | 212 John Wilhelm |
| 157 Joseph Blessel | 213 James Rogan |
| 158 Jos. Walker | 214 Seb. Hauber |
| 159 John Fochtman | 215 John Schauer |
| 160 Geo. Imhoff | 216 Jos. Baumer |
| 161 John Walker | 217 John Batch, sr. |
| 162 E. J. Russ | 218 John Foster |
| 163 Frank Gerg | 219 Lorenz Wesnitzer |
| 164 Michael Frey, sr. | 220 Henry Loeffler |
| 165 Jos. Zwack | 221 Seb. Wimmer |
| 166 Michael Bauer | 222 Wm. Simmons |
| 167 Anton Benninger | 223 Louis Vollmer, jr. |
| 168 Chas. Weis. esqr. | 224 M. C. Butch |
| 169 Frank Loechner | 225 Niclas Halligan |
| 170 John Keller | 226 Ed. Gorman |
| 171 Fred. Loeffler | 227 Jos. Dill |
| 172 John Emmett | 228 Chas. Redger |
| 173 Albert Weis | 229 Josiah Burden |
| 174 Louis Garner | 230 John Simmons |

231 Philip Vollmer
 232 Ferdinand Miller
 233 John Dollinger
 234 Anton Gerg
 235 Mat. Malone
 236 Casper Loechner
 237 Herman Tegler
 238 Jacob Missel (on age)
 239 Jacob Schaut
 240 Sebastian Kraft (age)
 241 Tobias Davis
 242 John Dornish
 243 Sebastian Sporer
 244 Andrew Brehm
 245 John A. Vollmer
 246 Michael Hegerl
 247 Joseph Rosenkofer
 248 John Stump
 249 Jos. Meyer

250 John Hegerl
 251 Jos. F. Meyer
 252 John Jacob
 253 Joseph Hanhauser
 254 Jacob Miller
 255 James Corran
 256 Mathias Wellendorf
 257 John Moring
 258 Wm. Gies
 259 Jacob Kraus
 260 Jos. Jacob, sr.
 261 John Beyer
 262 Henry Fry
 263 Geo. Dietz
 264 John Kraus
 265 Joseph Frank
 266 Pat. Cleason
 267 Frank Evis
 268 Joseph Jacob, jr.

EUGENE LENZ,

Judge.

GEO. WEIGEL,

M. F. FREY,

Inspectors.

FR. RUDOLPH,

J. W. FOX,

Clerks.

(Indorsed :) Filed Nov. 7, 1878. Fred. Schoening, clerk and prothonotary.

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that I have carefully and critically examined the foregoing pages, and find them to contain a true and correct copy of the poll-list or list of voters who voted at an election held in and for Saint Mary's Borough, on the 5th November, A. D. 1878, so full and entire as therein stated.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway, this 21st day of February, A. D. 1879.

[SEAL.]

FRED. SCHOENING,

Prothonotary.

EXHIBIT G.

List of voters who voted in Highland District, Elk County, Pennsylvania, November election, 1878.

1 Andrew Johnson
 2 Thomas Campbell
 3 Edward Lair
 4 James Coach
 5 Theodore Vankirk
 6 James M. Gorton
 7 Wm. J. Stubbs
 8 Elton Sheeley
 9 Wm. Sheeley

10 Robert Wonderly
 11 Edward Gorton
 12 Kunt Eliason
 13 Benjamin Knickerbocker
 14 Harmon Gorton
 15 John Eliason
 16 F. V. Leroy
 17 Frank Hovencamp
 18 Henry Smothers

19 Peter C. Sheeley
20 Wm. S. Cole
21 H. O. Ellithrop

22 E. Hovencamp
23 Rufus Underwood

(Indorsed:) Filed November 7, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas of Elk County, do hereby certify that the above and foregoing page contains a true and correct copy of the list of voters in Highland District at an election held in and for said district on the 5th day of November, A. D. 1878, so full and entire as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway this 27th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT H.

List of voters who voted in Millstone Township, Elk County, Pennsylvania, November election, 1878.

1 John Miller
2 R. M. Painter
3 J. A. Shaffer
4 Henry Aharrah
5 Campbel Blair
6 Gale Melick
7 J. S. Champion
8 A. Zimmerman
9 F. Walters
10 W. P. Painter
11 G. D. Donahey
12 William Clyde
13 G. Parrott
14 Elias Ishman
15 G. C. T. Hoff
16 W. K. Moore
17 Michael B. Hoffman
18 J. W. Donahey
19 T. G. Clyde

20 A. L. Heeter
21 Joseph Moore
22 E. W. Maybee
23 Charles Aharah
24 Jacob Hydinger
25 Jeremiah Hoover
26 Orion Kelts (age)
27 H. J. Clyde
28 L. M. Parker
29 J. H. Painter (age)
30 Rheuban Himes
31 Michael Shaffer
32 Jerry Crispen
33 William Dunn
34 Thomas Slyhoof
35 G. W. Smith
36 L. Fee
37 H. C. Moore

W. K. MOORE,
Judge.

A. HEETER,
Inspector.

J. W. DONAHEY,
Inspector.

G. C. T. HOFF,
T. J. CLYDE,
Clerks.

(Endorsed:) Filed November 7, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that I have carefully compared

and critically examined the foregoing pages, and find them to contain a true and correct copy of the poll-list of voters who voted at an election held in and for Millstone Township in said county on the 5th day of November, A. D. 1878, so full and entire as therein stated and the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT I.

Return sheet.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on the first Tuesday of November, A. D. 1878, at Benezette, in the election district of Benezette, Elk County, Pennsylvania, do certify that, upon counting the votes, it appeared that for the office of—

* * * * *

CONGRESS

Andrew G. Curtin had sixty-five votes (65).

Seth H. Yocum had seventy votes (70).

* * * * *

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the fifth day of November, A. D. 1878.

NEWTON JOHNSON, [SEAL.]

H. D. DERR, [SEAL.]

Inspectors.

H. R. WINSLOW, [SEAL.]

Judge.

Attest:

J. W. ELDRED.

J. V. HANSCOM.

We certify that the above return is correct.

_____,

_____,

Overseers.

NOTE.—This return sheet is to be signed by all the officers, and given unsealed to the judge, and by him delivered (at the time the return is delivered) to the prothonotary, who shall mark thereon the day and hour of filing, and preserve it for public inspection.

(Endorsed :) Filed Nov. 7, 1878, 12 m.

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas in and for Elk County, do hereby certify that I have carefully compared and critically examined the foregoing pages with the original return-sheet of an election held in Benezette Township, said county, on the 5th day of November, A. D. 1878, and that I find it to be a true and correct copy

thereof, so full and entire as the same was returned to this office and remains on file therein.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 27th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT J.

Return sheet.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on the first Tuesday of November, A. D. 1878, at the No. 1 school house, in the election district of Benzinger Township, Elk County, Pennsylvania, do certify that, upon counting the votes, it appeared that—

* * * * *

FOR CONGRESS.

Andrew G. Curtin had 295 votes (two hundred and ninety-five).
Seth H. Yocum 34 (thirty-four).

* * * * *

In testimony whereof, we, the inspectors and judge of election afore-said, have hereunto set our hands and seals the 5th day of November, A. D. 1878.

JOHN BRYNDLE, [L. S.]
GEORGE DECKER, [L. S.]

Inspectors.

PHILIP YOUNG, [L. S.]
Judge.

Attest:

JOHN NISSEL,
GEORGE J. FRITZ,
Clerks.

We certify that the above return is correct.

Clerks.

NOTE.—This return sheet is to be signed by all the officers, and given unsealed to the judge and by him delivered (at the time the return is delivered) to the prothonotary, who is to mark thereon the day and hour of filing and preserve it for public inspection.

(Indorsed:) Filed Nov. 6, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred Schoening, prothonotary, of the court of common pleas in and for said county and State, do hereby certify that I have carefully examined and critically compared the foregoing pages with the return sheet of an election held in Benzinger Township in said county on the 5th day of November, A. D. 1878, and find the same to contain a true and correct copy thereof, so full and entire as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT K.

Return sheet.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on the first Tuesday of Nov., A. D. 1878, at the school house in the eastern district of Highland, Elk County, Pennsylvania, do certify that upon counting the votes it appeared that for—

* * * * *

CONGRESS

Andrew G. Curtin had sixteen votes (16).

Seth H. Yocum had seven votes (7).

* * * * *

In testimony whereof, we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the fifth day of Nov. (5), A. D. 1878.

WM. J. STUBBS, [L. S.]
F. V. LEROY, [L. S.]
Inspectors.

W. T. COLE, [L. S.]
Judge.

Attest:

E. HOVENCAMP,
H. O. ELLITHORPE,
Overseers.

We certify that the above return is correct.

(Indorsed:) Filed Nov. 6, 1878, at 11½ a. m.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that the above or foregoing pages contain a true & correct copy of the return sheet of an election held in and for Highland Township, said county, November 5, 1878, so full and entire as the same was returned to this office and remains on file therein.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway, this 27th day of March, 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT L.

Return sheet.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on the first Tuesday of November, A. D. 1878, at the house of Henry A. Harrah in the election district of Millstone, Elk County, Pennsylvania, do certify that upon counting the votes it appeared that—

* * * * *

FOR CONGRESS

Andrew G. Curtin had twenty-two votes (22).

Seth H. Yocum had six votes (6).

* * * * *

In testimony whereof, we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the fifth day of November, A. D. 1878.

J. W. DONAHEY, [L. S.]
A. HEETER, [L. S.]
Inspectors.
W. K. MOORE, [L. S.]
Judge.

Attest:

G. C. T. HOFF,
T. G. CLYDE,
Clerks.

We certify that the above return is correct.

Overseers.

NOTE.—This return sheet is to be signed by all the officers, and given unsealed to the judge, and by him delivered at the time the return is delivered to the prothonotary, who shall mark thereon the day and hour of filing, and preserve it for public inspection.

(Endorsed:) Filed Nov. 6, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss :

I, Fred Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that I have carefully examined and critically compared the foregoing pages with the return sheet of an election held in Millstone Township, said county, on the 5th day of November, 1878, and find the same to be a true and correct copy thereof, so full and entire as the same remains on file in my office.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT M.

Return sheet.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on the fifth day, the first Tuesday, of November, A. D. 1878, at the town-hall in the borough of St. Mary's, in Elk County, Pennsylvania, do certify that, upon counting the votes, it appeared—

* * * * *

FOR CONGRESS.

Andrew G. Curtin had two hundred twenty-three votes (223).

Seth H. Yocum had forty-two votes (42).

* * * * *

In testimony whereof, we, the inspectors and judge of an election aforesaid, have hereunto set our hands and seals the fifth day of November, A. D. 1878.

GEO. WEIGEL, [L. S.]
M. F. EREY, [L. S.]
Inspectors.
EUGENE LENZ, [L. S.]
Judge.

Attest:

S. W. FOX,
FRED. RUDOLPH,
Clerks.

We certify that the above return is correct.

NOTE.—This return sheet is to be signed by all the officers, and given unsealed to the judge, and by him delivered (at the time the return is delivered) to the prothonotary, who shall mark thereon the day and hour of filing and preserve it for public inspection.

(Endorsed:) Filed Nov. 7, 1878.

STATE OF PENNSYLVANIA,
Elk County, ss :

I, Fred Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that I have carefully examined and critically compared the foregoing pages with the return sheet of an election held in Saint Mary's Borough, said county, on the 5th day of November, 1878, and find the same to contain a true and correct copy thereof, so full and entire as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT N.

I, Philip Young, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same, by citizens qualified to vote, or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

PHILIP YOUNG,

Judge of the Election District composed of the Township of Benzinger.

Sworn and subscribed this 5 day of November, 1878, before me.

GEORG DECKER,
Minority Inspector.

I, George Decker, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

GEORG DECKER,

Inspector of the Election District composed of the Township of Benzinger.

Sworn and subscribed this 5 day of November, 1878, before me.

PHILIP YOUNG, *Judge.*

I, ————, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN BREINDLE,

*Inspector of the Election District Composed of
the Township of Benzinger.*

Sworn and subscribed this 5 day of November, 1878, before me,

PHILIP YOUNG, *Judge.*

I, John Nissel, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

JOHN NISSEL,

*Clerk of the Election District composed of
the Township of Benzinger.*

Sworn and subscribed this 5 day of November, 1878, before me.

PHILIP YOUNG, *Judge.*

I, George Fritz, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEORGE J. FRITZ,
*Clerk of the Election District composed of
the Township of Benzinger.*

Sworn and subscribed this 5th day of November, 1878, before me.

PHILIP YOUNG,
Judge.

(Endorsed): Filed Nov. 7, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that the or foregoing page contains a true and correct copy of the oaths of the election board of an election held in and for Benzinger Township, in said county, on the 5th day of November, A. D. 1878, so full and entire as the same remain on file in my office.

In testimony, I have hereunto set my hand and affixed the seal of said court at Ridgway this 12th day of March, A. D. 1879.

[SEAL.]

FRED SCHOENING,
Prothonotary.

EXHIBIT O.

I, W. S. Cole, do swear that I will as judge duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavor to prevent any fraud, deceit or abuse in carrying on the same by citizens qualified to vote, or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially and faithfully perform my duty respecting the same to the best of my judgment and abilities, and that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. S. COLE,
*Judge of the Election District composed of
the Township of Highland.*

Sworn and subscribed this 5th day of November, 1878, before me.

E. HOVENCAMP, *J. P.*

I, Wm. J. Stubbs, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. J. STUBBS,
*Inspector of the Election District composed of
the Township of Highland.*

Sworn and subscribed this 5th day of November, 1878, before me.
E. HOVENCAMP, J. P.

I, F. V. Leroy, do swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

F. V. LEROY,
*Inspector of the Election District composed of
the Township of Highland.*

Sworn and subscribed this 5th day of November, 1878, before me.
E. HOVENCAMP, J. P.

I, H. O. Ellithorp, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

H. O. ELLITHORP,
*Clerk of the Election District composed
of the Township of Highland.*

Sworn and subscribed this 5th day of November, 1878, before me.
W. S. COLE, Judge.

I, E. Hovencamp, do swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

E. HOVENCAMP,
*Clerk of the Election District composed
of the Township of Highland.*

Sworn and subscribed this 5th day of November, 18—, before me.
W. S. COLE, *Judge.*

(Endorsed:) Filed November 7, 1879.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that the above and foregoing page contains a true and correct copy of the oaths of the board of an election held in Highland Township, said county, on the 5th day of November, A. D. 1878, so full and entire as the same was returned and now remains on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway this 27th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING.

Prothonotary.

EXHIBIT P.

I, W. K. Moore, do solemnly swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

W. K. MOORE,
*Judge of the Election District composed of the
Township of Millstone.*

Sworn and subscribed this 5th day of November, 1878, before me.

J. W. DONAHEY,
Minority Inspector.

I, A. L. Heeter, do solemnly swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

A. HEETER,
*Inspector of the Election District composed of the
Township of Millstone.*

Sworn and subscribed this 5th day of November, 1878, before me,
———, Judge.

I, J. W. Donahey, do solemnly swear that I will duly attend the ensuing election during the continuance thereof as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person whom I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. W. DONAHEY,
*Inspector of the Election District composed of the
Township of Millstone.*

Sworn and subscribed this 5th day of November, 1878, before me.
———, Judge.

I, G. C. T. Hoff, do solemnly swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

G. C. T. HOFF,
*Clerk of the Election District composed of the
Township of Millstone.*

Sworn and subscribed this 5th day of November, 18—, before me,
———, Judge.

I, T. G. Clyde, do solemnly swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted unless required to do so as a witness in a judicial proceeding.

*Clerk of the Election District composed of the
 Township of Millstone.*

Sworn and subscribed this 5th day of November, 1878, before me.
 _____, *Judge.*

(Endorsed:) Filed.

STATE OF PENNSYLVANIA, *County of Elk, ss:*

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that the above and foregoing pages contain a true copy of the oaths of the board of an election held in and for Millstone Township, said county, on the 5th day of November, A. D. 1878, so full and entire as the same remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway, this 12th day of March, A. D. 1879.

[SEAL,]

FRED. SCHOENING,
Prothonotary.

EXHIBIT Q.

I, Eugene Lenz, do herewith swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

EUGENE LENZ,
*Judge of the Election District composed of
 the Borough of St. Marys.*

Sworn and subscribed this the 5th day of November, 1878, before me.
 M. F. FREY,
Minority Inspector.

Filed Nov. 7, 1878.

FRED. SCHOENING,
Clerk & Proth'y.

I, George Weigel, do herewith swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

GEO. WEIGEL,
*Inspector of the Election District composed of
the Borough of St. Marys.*

Sworn and subscribed this 5th day of November, 1878, before me.

EUGENE LENZ, *Judge.*

Filed Nov. 7, 1878.

FRED. SCHOENING,
Clerk & Proth'y.

I, Michael Frey, do herewith swear that I will duly attend the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

M. F. FREY,
*Inspector of the Election District composed of
the Borough of St. Marys.*

Sworn and subscribed this 5th day of November, 1878, before me.

EUGENE LENZ, *Judge.*

Filed Nov. 7, 1878.

FRED. SCHOENING,
Clerk & Proth'y.

I, Frederick Rudolph, do herewith swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will

not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

FRED. RUDOLPH,

Clerk of the Election District composed of the Borough of St. Marys.

Sworn and subscribed this 5th day of November, 1878, before me.

EUGENE LENZ, *Judge.*

Filed Nov. 7, 1878.

FRED. SCHOENING,

Clerk & Proth'y.

I, J. W. Fox, do herewith swear that I will, as a clerk, impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; that I am not, directly or indirectly, interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

J. W. FOX,

Clerk of the Election District composed of the Borough of St. Marys.

Sworn and subscribed this 5th day of November, 1878, before me.

EUGENE LENZ, *Judge.*

(Indorsed:) Filed Nov. 7, 1878. Fred. Schoening, clerk and prothonotary.

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that the within and foregoing page contains a true & correct copy of the oaths of the election board of St. Marys Borough, of an election held in and for said borough on the 5th day of November, A. D. 1878, so full and entire as the same remain on file in my office.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,

Proth'y.

EXHIBIT R.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss :

I, Johannes Kreckel, being duly sworn, say that I am a qualified voter of the election district composed of the township Benzinger, in said county, and that I know Absolom Conway, who now claims the

right to vote therein, and have known him for ten years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Barris Camp.

Sworn and subscribed to this 5th day of Nov., 1878, before me.

PHILIP YOUNG.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under the tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss:

I, Absolom Conway, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

Sworn and subscribed this 5 day of Nov., 1878, before me.

PHILIP YOUNG.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall in addition state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

(Endorsed:) Filed Nov. 7, 1878.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss:

I, John Kaul, being duly sworn, say that I am a qualified voter of the election district composed of the township of Benzinger, in said county, and that I know Nick Neubert, who now claims the right to vote therein, and have known him for fifteen and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Valentine Neubert, Benzinger Township, Elk Co., Pa.

Sworn and subscribed this 5 day of November, 1878, before me.

PHILIP YOUNG, *Judge.*

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age, under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss:

I, Nick Neubert, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and

under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5 day of November, 18—, before me.

PHILIP YOUNG,
Judge.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

(Endorsed :) Filed Nov. 7, 1878.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter, under the tenth section of registry law, approved 30th January, A. D. 1784.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss :

I, Yost Wehler, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Benzinger in said county, and that I know Philip Wehler, who now claims the right to vote therein, and have known him for twenty-one and upwards, and that said claimant, for the last two months and upwards, has resided in said election district in the house of Yost Wehler.

Sworn and subscribed this 5 day of November, 1878, before me.

PHILIP YOUNG.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under the tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss :

I, Philip Wehler, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

Sworn and subscribed this 5 day of November, 1878, before me.

PHILIP YOUNG.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

(Endorsed :) Filed Nov. 7, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that the within or foregoing pages contain a true and correct copy of six affidavits as therein stated, so full and entire as the same appear on file in my office, and that I find no other affidavits returned by the board of an election held in Benzinger Township, said county, on November 5, 1878, except as herein stated.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway this 12th day of March, A. D. 1879.

[SEAL.]

FRED SCHOENING,
Prothonotary.

EXHIBIT S.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss:

I, Peter C. Sheeley, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Highland in said county, and that I know Elton Sheeley, who now claims the right to vote therein, and have known him for ten years and upwards, and that said claimant for the last two months and upwards has resided in said election district in the house of Peter C. Sheeley.

PETER C. ^{his} + SHEELEY.
 mark.

Sworn and subscribed this 5th day of November, 1878, before me.
 E. HOVENCAMP, *J. P.*

No. 2.

Form of affidavit to be made by native-born citizen not registered, but claiming right to vote under the tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss:

I, Elton Sheeley, being duly sworn, say: That to the best of my knowledge and belief I was born on the 5th day of June, A. D. 1857, in the town of Neversink, State of New York; that I am and have been a citizen of the United States for one month, and of the commonwealth of Pennsylvania; that I have resided in said last-mentioned State for one year last past, and in this election district for two months last past; **that I was formerly a citizen of Pennsylvania and removed therefrom, and have now resided therein six months next preceding this election;* and that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years which was

*The words in italic can be erased when not applicable.

assessed two months and paid one month before this election; which tax was paid on the — day of —, 18—, to —.

Mr. ELTING SHEELEY.

Sworn and subscribed this 5th day of November, 1878, before me.

E. HOVENCAMP, *J. P.*

(Endorsed :) Filed Nov. 7, 1878.

STATE OF PENNSYLVANIA,

County of Elk, ss :

I, Fred Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that the above and foregoing page contains a true and correct copy of affidavits on file among the election papers of an election held in and for Highland Township on the 5th day of November, A. D. 1878, and that there are no other affidavits, to wit, two remaining on file in my office among said Highland Township returns, except as herein set forth.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 27th day of March, A. D. 1879.

[SEAL.]

FRED SCHOENING.

Prothonotary.

EXHIBIT T.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss :

I, E. W. Maybee, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Millstone, in said county, and that I know Orion Kelts, who now claims the right to vote therein, and have known him for twelve years and upwards, and that said claimant, for the last two months and upwards, has resided in said election district, in the house of E. W. Maybee.

E. W. MAYBEE.

Sworn and subscribed this 5th day of November, 1878, before me.

No. 4.

Form of affidavit to be made by native-born citizen not registered, and who claims right to vote on age under the tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,

Elk County, ss :

I, Orion Kelts, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district where I now claim the right to vote two months next preceding this election.

ORION C. KELTS.

Sworn and subscribed this 5th day of November, 1878, before me.

N. B.—If the person claiming the right to vote on age was born elsewhere than in the United States, he shall, in addition, state that fact in

his affidavit, and shall produce evidence to the election board that he has been naturalized, or that he is entitled to citizenship by reason of his father's naturalization.

(Endorsed :) Filed Nov. 7, 1878.

STATE OF PENNSYLVANIA,
County of Elk, ss :

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county, do hereby certify that the foregoing pages contain a true & correct copy of two affidavits, as therein stated, so full & entire as the same appear on file in my office, and that I find no other affidavits returned by the board of an election held in Millstone Township, in said county, on November 5, 1878, except as stated.

In testimony whereof I have hereunto set my hand and affixed the seal of said court, at Ridgway, this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

EXHIBIT U.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss :

I, George Weidenborner, being duly sworn, say: That I am a qualified voter of the election district composed of the borough of St. Mary's, Elk Co.; I know John H. Bruckens, who now claims the right to vote therein, and have known him for at least sixty days and upwards, and that said claimant, for the last two months and upwards, has resided in said election district in the house of Loumer Vogel, in St. Mary's Borough.

Sworn and subscribed this 5th day of November, 1878, before me.
EUGENE LENZ.

No. 3.

Form of affidavit to be made by naturalized citizens not registered, but claiming right to vote under tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss :

I, John H. Bruckens, being duly sworn, say: That to the best of my knowledge and belief, I was on the 31st day of March, A. D. 1826, in the Kingdom of Holland, Province Overreiser, at the town Losser; that I was duly naturalized on November, 1876, in the court of Wilkesborough, Luzerne County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid at least one month before the election; which tax was assessed on

the month of August, 1877, in the town of Munchschunk, in the county of Carbon, in the State of Pennsylvania, and was paid, through work, 187—, to ———, collector of said taxes for said ———, ** who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this the 5th day of November, 1878, before me.
EUGENE LENZ.

(Endorsed:) Filed Nov. 7, 1878.

No. 1.

Form of affidavit to prove residence of person not registered, to be made by qualified voter under the tenth section of registry law, approved 30th January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss:

I, Michael Hays, being duly sworn, say: That I am a qualified voter of the election district composed of the borough of St. Mary's, Elk Co., in said county, and that I know Josiah Denton for eight years, who now claims the right to vote therein, and have known him for eight years and upwards, and that said claimant, for the last two months and upwards, has resided in said election district in the house of John Coren in this borough.

Sworn to and subscribed this 5th day of November, 1878, before me.
EUGENE LENZ.

No. 3.

Form of affidavit to be made by naturalized citizens not registered, but claiming right to vote under tenth section of registry law, approved 30th of January, A. D. 1874.

COMMONWEALTH OF PENNSYLVANIA,
Elk County, ss:

I, Josiah Denton, being duly sworn, say: That, to the best of my knowledge and belief, I was born on the 17 day of January, A. D. 1848, in the town of ———, in England; that I was duly naturalized in September, 1869, in the court Towanda, in Bradford County; that I am a citizen of the State of Pennsylvania, and have been for one month a citizen of the United States; that I have resided in said last-mentioned State for one year, and in this election district for two months last past; that I have not removed into the district for the purpose of voting therein; that I have paid a State or county tax within two years, which was assessed two months and paid at least one month before the election; which tax was assessed on the ——— of June, 1877, in the town of Antriar, in the county of Tayoga, in the State of Pennsylvania, and was paid on ——— of June, 1877, to William R. Howell, jr., collector of said taxes for said year, ** who gave me a receipt therefor, which has since been lost or destroyed.*

Sworn and subscribed this 5th day of November, 1878, before me.
EUGENE LENZ.

(Endorsed:) Filed November 7, 1878.

* N. B.—The words in *italic* can be erased when not applicable.

STATE OF PENNSYLVANIA,
County of Elk, ss:

I, Fred. Schoening, prothonotary of the court of common pleas in and for said county and State, do hereby certify that the within and foregoing pages contain a true and correct copy of four affidavits, as therein stated, so full and entire as the same remain on file in my office; and that I find no other affidavits on file among the returns of an election held in Saint Mary's Borough November 5, 1878.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Ridgway this 12th day of March, A. D. 1879.

[SEAL.]

FRED. SCHOENING,
Prothonotary.

MIFFLIN COUNTY.

Testimony taken before Edmund Conrad, notary public in and for Mifflin County, Pennsylvania, in the matter of the contest between Andrew G. Curtin and Seth H. Yocum for the right to a seat in the Forty-sixth Congress of the United States of America, for the twentieth Congressional district of the State of Pennsylvania, at the court-house in Lewistown, Mifflin County, Pennsylvania, on the 14th, 15th, 17th, 18th, 19th days of March, A. D. 1879, between the hours of 8 a. m. and 11 p. m. of said days.

Oath administered to the clerk, Joseph M. Woods, before taking evidence.

You do swear by Almighty God, the searcher of all hearts, that you will perform the duties of clerk in taking testimony of witnesses produced and sworn on behalf of Seth H. Yocum in this contested election case with fidelity, and that you will reduce to writing the questions and answers of said witnesses truly, correctly, and impartially, and that as you shall answer to God at the great day.

Sworn and before me this 14th day of March, A. D. 1879.

[SEAL.]

EDMUND CONRAD,
Notary Public.

G. W. Elder and D. H. Woods appear as attorneys for Seth H. Yocum, esq.; Jos. W. Parker and Jas. S. Rakerd appear as attorneys for Hon. A. G. Curtin.

JOSEPH CAMPBELL sworn.

Question. Were you an officer of the election held for Union Township, in the County of Mifflin, on the fifth day of November, 1878, for a member of Congress for this district?—Answer. I was judge of the election.

Q. How long have you been a resident of Union Township?—A. I have been a resident of Union Township a little over sixty years.

Q. Are you familiar with the qualified voters of Union Township?

(Mr. Parker objects. Is irrelevant.)

A. I know most of the voters of Union Township.

Q. Were there any illegal votes received at the November election of 1878, for member of Congress?

(Mr. Parker objects. That is a question to be settled by the facts to be proven in connection with the qualification of the persons who voted.)

A. To the best of my knowledge there was not.

Q. Do you remember of Charles M. McNabb, the son of Wm. McNabb, voting at that election?

(This question asked for the purpose of showing that Chas. M. McNabb voted at that election, that he was a resident of Philadelphia, and that he voted for A. G. Curtin, and that he was sent there to vote by R. Milton Spear, the chairman of the Democratic State Central Committee.)

Mr. Parker objects—1. That the list of voters is the best evidence of the persons who voted at the election; 2. That it is irrelevant and immaterial whether he was sent there by Mr. Spear or not; 3. That the witness is competent to prove how Chas. M. McNabb voted.)

A. I do.

Q. State if his vote was objected to?—A. It was objected to.

Q. On what grounds was it objected to?—A. It was objected to on the grounds that he was a resident of Philadelphia, and not a resident of that district.

Q. Had he been residing out of that district and in Philadelphia or not?—A. He said himself that he had been residing in Philadelphia, but claimed that as his place of voting, he being between the age of twenty-one and twenty-two, his father being a resident of Union Township. He said that he had been told by R. Milton Spear that he could vote there, and he knew the law better than any of us, or words to that effect. We received his vote.

Q. How long had he been residing in Philadelphia, or elsewhere than in that district, prior to the November election 1878, for member of Congress?—A. My recollection is that he had been away from the district for two years or more. I have seen him at home within that time occasionally.

Q. What had he been doing in Philadelphia prior to the November election 1878?—A. About October, 1877, Chas. M. McNabb told me in Philadelphia that he was clerking in a dry-goods store in that city. I think he said he was a salesman in the house of James Kent Santee & Co. He likewise told the board the day of the last November election, when he voted, that he was still doing business in Philadelphia.

Q. State what the politics of Chas. M. McNabb was and who he voted for for member of Congress?—A. Chas. M. McNabb was a Democrat. I don't know for whom he voted for member of Congress.

Q. State if the board of election officers had before them during that day a registry list from the commissioners' office of Mifflin County of the qualified voters for Union Township?—A. They had.

Q. Were the voters as they voted marked off that list by one of the officers of the election?—A. They were.

Q. Did any persons vote at that election who were not on that list of voters, who were not otherwise qualified to vote, except Chas. M. McNabb?—A. They did not, and in my opinion Chas. M. McNabb was qualified to vote. I gave the casting vote for him to vote.

Q. Will you state whether or not all the officers of the election, to wit, the judge, the two inspectors, and the two clerks, were sworn according to law before the election opened?—A. The officers of the election were all sworn or affirmed according to law.

Q. Who swore or affirmed them?—A. Wm. C. Gardner, one of the inspectors, swore me, and I swore or affirmed the rest of the board, including the clerks.

Witness cross-examined by Jos. W. PARKER, attorney for A. G. Curtin:

Q. Was Chas. M. McNabb a single man?—A. He was and is yet so far as I know.

Q. Do his parents reside in Belleville, Union Township, and if so how long have they done so?—A. His father has resided there all his life.

Q. Did Charles M. McNabb reside at home with his father until he removed to Philadelphia?—A. He did.

Q. How often, as near as you recollect, did he visit his parents?—A. Either last summer, or last summer a year; I think both. He spent a vacation at home perhaps two weeks. I have no recollection of seeing him at home at any other time, though he may have been.

Q. Did you ever talk politics with Charles M. McNabb?—A. I did on the day of election; he said he was a Democrat.

Q. That was the only conversation you had with him on politics?—A. So far as I recollect it was.

Q. Do you remember what names were on the registry list and what names were on the list of voters?—A. I do not. I recollect some of them.

Q. By which one of the inspectors were you sworn, the majority or the minority?—A. I was sworn by William C. Gardner; I believe he was the minority inspector.

Q. Do you remember how many persons voted whose names were not on the registry?—A. I do not.

Q. Do you remember the names of the persons who voted who were not on the registry list?—A. I do not; I remember Charles M. McNabb was not on.

Q. What proof do those voters whose names were not on the list make of their qualification to vote?—A. The board required a receipt of tax and evidence that they had been in the district a proper length of time.

Q. What was the character of evidence required for residence of those whose names were not on the registry list?—A. My recollection is they required their oaths or the oath of some one who knew them. I don't recollect all the cases; I believe, about two cases.

Q. Was this oath partly written or partly printed or written of the facts stated by the voter and subscribed by him?—A. In most cases the oath was just administered; it was neither printed or written; he was questioned by the board until they were satisfied of his qualification to vote.

Q. Did you require a written or printed affidavit from the witness produced by the voter as to the qualification of the voter to vote?—A. We did not; my recollection is that one case where we had great doubt we did, and that is the only case that I recollect.

Q. Did you require from the voter any proof by witnesses of his right to vote except what you required from the voter himself?—A. We did in several cases.

Q. Do you remember how many and in what cases?—A. I don't remember how many, but I remember two or three.

Adjourned until two o'clock p. m.

Q. State in cases where witnesses were called to prove the residence of the voter, were the witnesses qualified voters of the district, and were they sworn or affirmed?—A. In so far as I now recollect they were sworn. In one case the witness was not a qualified voter on account of his tax receipt; the tax receipt was too old.

Q. Did the person claiming the right to vote state when and where he was born?—A. He did.

Q. Did you ask him whether he had been a citizen of the United States for one month and of the commonwealth of Pennsylvania?—A. I do not recollect.

Q. Did you ask him if he had resided in the commonwealth for one year?—A. I don't recollect, my impression is we did not.

Q. If he had formerly been a qualified elector or a native-born citizen thereof and had removed therefrom and returned, did you, in that case, ask him whether he had resided in the State six months next preceding said election?—A. I don't think we asked him that question. I don't now remember what questions we did ask him.

Q. Did you ask him whether he had resided in the district in which he claimed to vote for a period at least two months immediately preceding said election?—A. My impression is we did.

Q. In case a person was twenty-two years of age or upwards, did you ask him if he had paid a State or county tax within two years, which was assessed at least two months and paid at least one month before election?—A. We did ask those questions of the voter.

Q. Did the voter state when and where the tax which he claimed to be paid was assessed, and when and where and to whom paid?—A. The voter stated except where he produced a receipt.

Q. Did you require tax-receipts unless in cases where the voter stated that it had been lost or destroyed, or that he had never received any?—A. We did.

Q. Do you say that you had before the board of election officers of Union Township a complete registry of the qualified voters of that election district furnished by the commissioners of Mifflin County?—A. We had what I believed a complete registry. I don't know by whom it was furnished.

Q. Did you have more than one registry-list?—A. So far as I recollect we had not.

Q. Did you have a separate registry of the sixty-day list of qualified voters furnished by the commissioners of Mifflin County?—A. I have no recollection of any.

Q. Do you know who made out the registry used by the election board on that day?—A. I do not.

Q. Did you have an old registry? and, if so, state what registry it was if you know?—A. There was an old registry of the year before, but it was not used in conducting this election.

Recalled:

Q. Did the registry-list you had at that election embrace the sixty-day assessment, and was it a full registry of the legal voters of Union Township?

(Mr. Parker objects, the question is leading.)

A. I think it did embrace the sixty-day list, and was a full registry of the voters of Union Township.

Q. How many electors presented themselves to vote whose names were not found on the registry-list?—A. I don't recollect; my impression is that the number would be between from six to twelve.

Q. State whether you applied to the collector of Union Township before the election for a list of persons who had paid their taxes, and whether you received a list of such persons or not.

(Mr. Parker objects, that a list of the paid taxes furnished by the collector to the officer of election was no evidence of the payment of the taxes of the person claiming to vote.)

A. I applied to the collector and he said to me that every citizen had paid his tax without an exception; he furnished me no list.

(Mr. Parker objects to the answer as containing more than is embraced in the question, and that the declaration of the tax collector is no evidence of the legal payment of the taxes.)

JOS. CAMPBELL.

RICHARD YOUNG affirmed.

Question. Were you an officer of the election board in Union Township for the general election held November 5, 1878?—Answer. I was.

Q. What office did you hold in that board?—A. Inspector.

Q. State whether or not the election board at that election had for its use a registry-list, furnished by the commissioners, of the legal voters of Union Township.—A. We had one that came with the election papers.

Q. When you say election papers, what is embraced in what you call election papers?—A. Blank forms and oaths and some blank paper, sealing wax and tape.

Q. Do you know whether or not the registry-list embraced the June assessment of voters of Union Township?—A. It did.

Q. What became of that registry-list that you used at that election?—A. I believe it is in the box; it was put in and sealed up.

Q. When a voter presented himself to vote did you or did you not refer to the registry-list to find whether he was registered, and, if he voted, was he or was he not checked off that list?—A. We did refer to the list, and his name was checked off when he voted.

Q. When persons applied to vote whose names were not contained on the registry list, did you or did you not require them to make proof of their right to vote in every instance?—A. We did require it.

Cross-examined:

Q. When did you first see the registry list?—A. On the morning of the election, before seven o'clock.

Q. In whose possession was it?—A. It was on the table in the election room, under the care of the constable.

Q. Who was the constable?—A. Adam Wademen.

Q. Was the envelope which contained the papers opened or sealed when you first saw it?—A. I can't remember.

Q. If you can't remember whether it was opened or sealed how do you know whether the registry list was with the other papers?—A. The other papers were lying with the registry list.

Q. How do you know that the registry list came with the other papers?—A. All I know it was with them when we got our hands on them.

Q. Did you help make up the June assessment?—A. No, sir.

Q. Did you help make up any of the assessments that year?—A. No, sir.

Q. Did you compare the different assessments made that year with each other?—A. We had the three assessments in the one list. If my memory serves me right I saw the regular list, the June assessment list, and the sixty-one-day list.

Q. Where did you see these lists?—A. In Mr. Gardner's hands, in the election room.

Q. Was it from seeing the June assessment and the sixty-one-day assessment and the regular list that you knew that the registry list contained the names of all the voters of Union Township?—A. Yes, sir.

Q. Did you compare the assessment lists with the registry?—A. I did not, no more than as the votes came in.

Q. How do you know that the registry used by the election officers embraced the June assessment?—A. We were looking over it, and Mr. Haffley came in and show me the June assessment list, and told us it was all there.

Q. Had Mr. Haffley the June assessment list with him that day?—A. No, sir; it was on the table.

Q. Do you know in whose handwriting the registry was?—A. No, sir.

Q. State what proof you required of the voter when his name was not on the registry-list.—A. We called in witnesses in some cases, and in some we swore them or affirmed them.

Q. What questions did you submit to the witness as to residence?—A. If they had known them such a length of time.

Q. What length of time?—A. Six months in most cases, if my memory serves me right.

Q. What other questions did you ask them?—A. If they had receipts for payment of tax.

Q. Did you require of them written, or partly printed or partly written, affidavits to the facts upon which the elector claimed the right to vote?—A. If my memory serves me right in some cases we did, where it required it.

Q. What other questions did you ask the voters?

(Mr. Elder objects; because of its generality, witness could not possibly answer.)

A. I cannot remember..

Q. Did the voter produce at least one qualified voter of the district as witness to the residence of the voter in the district for at least two months immediately preceding election?—A. There was one case.

Q. In all cases where the names did not appear on the registry of the person claiming the right to vote, did you require him to produce and did he produce at least one qualified voter of the district as a witness to the residence of the claimant in the district for the period of at least two months immediately preceding the election?—A. To the best of my knowledge we did, except in the one case where the tax receipt was too old.

Q. Did you take written, or partly printed and partly written, affidavits in all cases where the voter's name was not on the registry list?—A. Not in all cases, if I recollect.

RICHARD YOUNG.

MILES HAFFLY affirmed.

Question. Were you the assessor for Union Township for 1878?—Answer. I was assessor for Union Township in 1878.

Q. Did you make the June assessment, as it is called?—A. I did.

Q. Did you make the sixty-one assessments?—A. I did.

Q. What did you do with these assessments?—A. I furnished a copy of the June assessment in connection with the assessment of valuation made the fall before to the commissioners.

Q. What did you do with the sixty-one-day assessment?—A. I sent it to the commissioners' office through the mail direct to the clerk.

Q. Did you see the registry list furnished to the officers who held the general election held on the 5th of November, 1878; and if you answer you did, what assessments did it embrace?—A. I did see it, and it contained the assessment of valuation, the June assessment, and the sixty-one-day assessment.

Q. Where did you last see this registry list, and when furnished the election officers?—A. I believe I saw it after the vote was counted, put into one of the boxes, and sealed up.

Q. Did you see this registry list in the hands of the officers during the day?—A. I did, and saw one of the inspectors checking off the names of the voters as they were taken in.

Q. Are you acquainted with the handwriting of J. K. Rhodes, clerk of commissioners at that time?—A. I believe I am.

Q. In whose handwriting was the registry list you saw in the hands of the election officers of Union Township whilst they were holding the general election on November 5, 1878?—A. I believe it to have been in the handwriting of J. K. Rhodes, clerk of the commissioners.

Cross-examined by J. S. RAKARD and JOS. W. PARKER, attorneys for A. G. Curtin:

Q. What did the June assessment returned by you to the county commissioners embrace?—A. It embraced all who had come into the district after the assessment of valuation made the fall before, as far as I could ascertain.

Q. Did the registry sent to the election board by the county commissioners embrace any other names than those in the June assessment and sixty-one-day assessment?—A. Yes, sir; it embraced the assessment of valuation made the fall before and the June and sixty-one-day lists.

Q. What time did you first see that registry?—A. I saw it in the hands of one of the inspectors on the day of election checking off names for the first time.

Q. Did any one ask you if the regular assessment was on that registry?—A. I don't remember that Mr. Young asked me if the general assessment was on there, but he did ask me if the June and sixty-one-day assessment was on that, and I told him they were.

Re-examined:

Q. Was the fall assessment on that list together with the June and sixty-one-day assessments?—A. It was.

MILES HAFFLY.

Adjourned until 8 o'clock on March 15, 1879.

Met at 10 o'clock a. m. March 15, 1879.

WILLIAM H. GLASS sworn.

Question. Were you one of the clerks for the general election held in Menno Township on the 5th of November, 1878, for Congress?—Answer. I was.

Q. How was the election board sworn or affirmed to hold the election?

(Mr. Parker objects. The affidavits must be produced, they being the best evidence.)

A. Mr. John A. Fultz, being the minority inspector, swore the judge, and Mr. John W. Bradley, the judge of election, swore the balance of the board.

Q. Who was the other clerk of the election beside yourself?—A. Francis E. Barr.

Q. Were there lists made of all the voters of Menno Township who voted at that election by you and the other clerk of the election; and, if there was, what became of them?—A. There were two correct lists made, one by Mr. Barr and one by myself, of all the qualified voters of Menno Township who voted on the 5th day of November, 1878. The one list was inclosed with the return-sheet, tally-list, list of oaths, to the prothonotary's office in Lewistown; the other was deposited in the ballot-box, properly sealed, and delivered to the justice of the peace.

Q. How many votes were cast on that day at that election for Congress?

(Mr. Parker objects that the returns are the best evidence.)

A. Two hundred and twenty-eight.

Q. Have you made search for the list of voters, and have you been able to find it?—A. I did; I searched through all the papers, and was unable to find anything of the kind.

Cross-examined by Mr. PARKER and Mr. RAKARD:

Q. Who made up the returns that were sent to the prothonotary?—A. I did myself.

Q. Do you have a distinct recollection that one of the lists of the voters was inclosed among those returns?—A. I have.

Q. If you have a distinct recollection that the list was so returned, why did you make search for it, and where did you search?—A. I did not make search for that list I sent.

Q. For what list did you make search?—A. For the one I supposed was deposited in the ballot-box and taken out at the spring election?

Q. Why did you make search for the list of voters you supposed was in the ballot-box?—A. I examined it to see if there, and to produce it here; I mean the registry-list.

Q. Then you never did make search for the list of voters?—A. The list of voters is what I searched for.

Q. Did you search for that list with a view of presenting it here to-day?—A. I did.

Q. Who sealed up these returns?—A. I did myself, in the presence of the judge of the election.

Q. To whom were the returns directed to the prothonotary delivered on the day of election?—A. They were delivered to John W. Bradley, judge of the election.

Re-examined:

Q. Do you recollect any circumstance which happened at the time the returns were sealed up, which satisfies you now that the list of voters were sealed up with the other returns at that time?—A. I gave those four papers, return-sheet, tally-list, list of oaths, and list of voters, to F. E. Barr, the other clerk; and after working some time to get these papers inside the large envelope, he could not get them in, and requested me to put them in, which I did.

W. H. GLASS.

JOHN W. BRADLEY sworn.

Question. State if you were the judge of the election in Menno Township at the election held November 5, 1878.—Answer. I was.

Q. State if a list of voters was kept by each of the clerks at that election.—A. Yes, sir.

Q. State if the papers spoken of by the former witness, Mr. Glass, as directed to the prothonotary, were delivered to you and what you did with them.—A. They were delivered to me, and I delivered them to the prothonotary.

Q. Do you know what papers were in the envelope you delivered to the prothonotary?—A. The list of voters, the tally-list and the list of oaths and the return sheet.

Q. What was done with the other list of voters?—A. The inspectors put them into the box along with the other papers.

Q. How many votes were cast for Congress at that election?

(Mr. Parker objects: 1. Returns are the best evidence.)

A. Two hundred and twenty-eight.

Q. On what day did you deliver these papers to the prothonotary?—A. I delivered them the next morning after the election, about nine o'clock.

Q. Was that envelope opened from the time it was delivered to you until you delivered it to the prothonotary?—A. No.

Q. Was the envelope containing the returns you have spoken of at any time out of your possession from the time you received it until you delivered it to the prothonotary?—A. No.

Cross-examined by Mr. PARKER:

Q. Were you present when this list of voters was put into the envelope and did you see it put in with the other papers?—A. I was present and saw it put in.

Q. By whom was it put in?—A. By William H. Glass.

Q. Do you know from your own knowledge and observation that it was in the envelope at the time it was sealed up and delivered to you?—A. I do.

Re-examined:

Q. Were there any persons voted at that election whose names were not upon the registry-list, and, if so, were they sworn according to law before their votes were received, and by whom was the oath administered?

(Mr. Parker objects.

Question withdrawn by Mr. McKee.)

JOHN W. BRADLEY.

JOHN A. FULTZ sworn.

Question. State if you were one of the inspectors at the general election held for Menno Township on the 5th of November, 1878.—Answer. I was the minority inspector.

Q. Did you swear the judge of elections at that time?—A. I did.

Q. Who swore the other officers?—A. John W. Bradley, the judge.

Q. Were there lists of voters kept of the persons who voted at that election by the clerks?—A. Yes, sir.

Q. What was done with those lists?—A. The one was put with the tally-lists, return-sheet, and the oaths into the envelope, and addressed to the prothonotary at Lewistown. It was sealed and delivered to the judge of elections. The other was put into the ballot-box, sealed, shut, and returned to the justice of the peace.

Cross-examined by Mr. RAKARD:

Q. Do you know certainly, of your own knowledge, that a list of voters was inclosed with the returns sent to the prothonotary?—A. I do.

Q. Where is the list of voters that was sealed up in the ballot-box?—A. I believe it to be there yet.

JOHN A. FULTZ.

Adjourned to meet March 17, 1879, at 8 o'clock a. m.

Meeting Monday, March 17, 1879, at 8 $\frac{3}{4}$ a. m.; Mr. George W. Elder for Seth H. Yocum; Mr. Jos. W. Parker for A. G. Curtin.

Geo. W. Elder offers list of voters and oaths of election-officers and return-sheet of the election for member of Congress held in the west ward of the borough of Lewistown, on the 5th day of November, 1878, certified by the prothonotary of Mifflin County, as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 1.

Geo. W. Elder offers list of voters and oaths of election-officers and return-sheet of the election for member of Congress held in the east ward of the borough of Lewistown on the 5th day of November, 1878, certified

by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 2.

Geo. W. Elder offers lists of voters and oaths of election-officers and return-sheet of the election for member of Congress held in the township of Bratton, Mifflin County, on the 5th day of November, 1878, certified by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 3.

Geo. W. Elder offers list of voters and oaths of election-officers and return-sheet of the election for member of Congress held in the township of Wayne, Mifflin County, on the 5th day of November, 1878, certified by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 4.

Geo. W. Elder offers list of voters and oaths of election-officers and return-sheet of the election for member of Congress held in the township of Granville on the 5th day of November, 1878, certified by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 5.

Geo. W. Elder offers list of voters and oaths of election officers and return-sheet of the election for member of Congress held in the township of Oliver, on the 5th day of November, 1878, certified by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 6.

Geo. W. Elder offers oaths of election officers, tally-list, and return-sheet of the election for member of Congress and all the other officers voted for at the general election held in and for Menno Township on the 5th day of November, 1878, certified by the prothonotary of Mifflin County as a full and correct copy of said papers remaining in his office, under his hand and the seal of the court of common pleas of Mifflin County, marked E. C 7.

Those offered, to wit, papers, E. C 1, E. C 2, E. C 3, E. C 4, E. C 5, E. C 6, being the certificates of the prothonotary of the copies of election papers filed in his office of the election districts west ward of the borough of Lewistown, east ward of the borough of Lewistown, Bratton Township, Wayne Township, Granville Township, and Oliver Township, to be followed with certified copies of the registry-lists of said election districts, and to prove that the officers who held the elections in said districts were not duly qualified, and further to show the number of votes cast in the several townships and election districts of the county of Mifflin for Seth H. Yocum and A. G. Curtin, and to be followed with proof that illegal votes in said election districts were cast and counted for Andrew G. Curtin for member of Congress. Paper marked E. C 7, being certificate by the prothonotary of copy of papers on file in the prothonotary's office of the election for member of Congress at the election held November 5, 1878, in Menno Township, offered in connection with the testimony of the election officers of said township or election district already given in evidence, to prove the regularity and fairness of the election held in said township or election district.

Mr. Parker objects: 1. That the papers do not prove the purpose for which they are offered. 2. That the paper relating to Menno Township does not prove the fairness and regularity of the election held in said township.

WM. S. SETTLE sworn.

Question. What is your name?—Answer. My name is Wm. S. Settle.

Q. Are you prothonotary in and for Mifflin County?—A. I am.

Q. Are you the custodian of the papers and records filed in the prothonotary's office of said county?—A. I am.

Q. (Papers marked Lewistown, W. W., E. C 1; Lewistown, East Ward, E. C 2; Bratton, E. C 3; Wayne, E. C 4; Granville, E. C 5; Oliver, E. C 6, shown witness.) Are these papers true, full, and correct copies of the lists of voters, oaths of the election officers, and return-sheets of the votes for member of Congress in the several election districts to which they refer, as full and entire as the same were returned and filed in your office, and were there any other affidavits of any kind filed from said election districts in connection with such papers, except those which appear and are attached thereto?—A. To the best of my belief, they are true copies. There were no other affidavits of any kind filed from said election districts in connection therewith, except those papers, copies of which are attached and certified to as above. I believe they are full and correct copies of those papers and records.

Q. (Paper marked Menno, E. C 7, shown witness.) Is this a full and correct copy of the oaths of election officers, election returns, and tally-list of voters of Menno Township for the election held November 5, 1878, as full and entire as the same was returned and filed in your office by the officers of said election district?—A. To the best of my belief, it is.

Q. When were the election returns for Wayne Township filed in the prothonotary's office?

(Mr. Parker objects. The record is the best evidence to show when it was filed.)

A. It was filed on the eighth day of November, 1878.

WM. S. SETTLE.

H. C. VANZANDT sworn.

Question. Were you one of the clerks of the election for Decatur Township held November 5, 1878, at which a member of Congress was voted for?—Answer. I was.

Q. Were you present when all the officers of the election were sworn or affirmed, including the clerks?—A. I might not have been in the room all the time. I was present when the clerks were sworn.

Q. Who swore the clerks?—A. To the best of my knowledge it was A. M. Ingram, a justice of the peace.

Cross-examined by JOS. W. PARKER and JAS. S. RAKARD:

Q. Who was judge of the election?—A. Samuel Stumpff.

Q. Was Samuel Stumpff, judge of the election, present that day at the opening of the election, and did he fail to swear you?—A. He was present and did not swear us.

Re-examined:

Q. Were the clerks sworn in the presence of the judge of the election?

(Mr. Parker objects that this question is irrelevant.)

A. I think they were.

H. C. VANZANDT.

SAMUEL STUMPFER sworn.

Question. Were you the judge of the election for Decatur Township for the election held November 5, 1878, at which a member of Congress was voted for?—Answer. I was.

Q. Were the officers of the election, including the clerks, sworn according to law?

(Mr. Parker objects that the witness must state how the officers were sworn and by whom, and not conclusions of law.)

A. Yes, sir.

Q. By whom were they sworn?—A. They were sworn by A. M. Ingram, a justice of the peace.

Q. Were the clerks sworn in your presence and by your direction or request by A. M. Ingram, a justice of the peace?—A. They were.

Q. Were the judge of the election and the inspectors sworn in the presence of each other, and were the clerks sworn in the presence of the judge of the election and the inspectors?—A. They were.

SAMUEL STUMPF.

ISRAEL SPIEGLEMYER affirmed.

Question. Were you an inspector at the election held in Decatur Township on the 5th of November, 1878, at which election a member of Congress was voted for?—Answer. I was.

Q. Were all the election officers sworn or affirmed before the election was opened; and, if so, by whom were they sworn?—A. They were all sworn or affirmed by A. M. Ingram, a justice of the peace, before the election commenced.

ISRAEL SPIEGLEMYER.

Adjourned to meet at 2 o'clock p. m.

Met at 2 p. m.

JOHN K. RHODES sworn.

Mr. D. W. Woods offers papers marked E. C 8, E. C 9, E. C 10, E. C 11, E. C 12, E. C 13, registry lists for the November election, 1878, for Lewistown west ward, Lewistown east ward, Bratton Township, Wayne Township, Granville Township, and Oliver Township, in the county of Mifflin, being certified copies of the registry of qualified voters of said townships and districts, as returned and filed in the office of the county commissioners of Mifflin County for and during the year 1878. These offered in connection with the list of voters already given in evidence in said districts for the purpose of showing the persons entitled to vote at the November election, 1878, for member of Congress, and to show that other persons voted than those whose names are on said registry lists or were otherwise qualified to vote according to law, and that such illegal votes were cast for Andrew G. Curtin for member of Congress.

(Mr. Parker objects that said papers do not show, or tend to show, any illegal votes were cast for Andrew G. Curtin.)

Question. Are you clerk to the county commissioners of Mifflin County?—Answer. I am.

Q. How long have you been clerk to the county commissioners of Mifflin County?—A. I have been their clerk for three years.

Q. State if you are the custodian of the papers and records of the commissioners' office of Mifflin County, and were you during all that period of three years said custodian?—A. I am and was.

Q. State if the returns were made to the county commissioners by the assessors for the election districts in and for the west ward of the borough of Lewistown, the east ward of the borough of Lewistown, Bratton Township, Wayne Township, Granville Township, and Oliver Township, of the resident taxables and voters in said election districts for the

year 1878, and when the same were so returned.—A. There was, but can't state the exact day they were returned; but they were all returned more than sixty days before the November election, or immediately after the 61-day assessment.

Q. State whether the county commissioners caused a full and correct copy of these resident taxables and voters to be made for the several election districts above mentioned, containing the names of all persons so returned as resident taxables and voters in said several election districts, and whether you as their clerk made such copies, and when they were made out.—A. They did cause such lists to be made out, and I made them out by their orders; they were made out some time between the time the sixty-one-day lists were returned and the day of election.

Q. State whether or not a copy of the lists which you have stated to have been thus made out by order of the county commissioners was furnished to the officers of said several election districts before the election of November 5, 1878.—A. There was.

Q. State if papers marked E. C 8, E. C 9, E. C 10, E. C 11, E. C 12, E. C 13, hereto attached, are full and correct copies of the lists so made out by order of the commissioners of Mifflin County, and furnished to the board of election officers of said several election districts.—A. They are.

J. K. RHODES.

IRVIN WILKEY sworn.

Question. Were you judge of the election held November 5, 1878, in Brown Township, at which a member of Congress was voted for?—Answer. I was.

Q. State if before the election opened you were sworn as judge of the election; and if you were sworn, by whom you were sworn?—A. I was sworn by Cassius Allen, the minority inspector.

Q. State if, after you were sworn, the balance of the election board was sworn, including the clerks; and if so, by whom were the rest sworn?—A. The rest of the board was sworn by me, including the clerks. I, as judge of the election, swore them.

Q. State how it came that you signed the affidavits that were sent into the prothonotary of the inspectors and clerks?—A. I signed them by mistake, supposing that I should have signed them, having sworn the officers. I signed them on the wrong side; should have signed the jurats instead of the oaths.

IRVIN WILKEY.

CASSIUS ALLEN sworn.

Question. Were you an inspector of the election held in Brown Township, this county, November 5, 1878, at which a member of Congress was voted for?—A. I was the minority inspector.

Q. State who was judge of the election and who swore him, if he was sworn.—A. Irvin Wilkey was judge, and I swore him.

Q. State how it came that you signed the oath the judge of election should have signed.—A. I think I was told to by Mr. Wilkey. I am not certain. I signed it by mistake when I did sign it.

CASSIUS ALLEN.

Adjourned to meet at 8 o'clock a. m. March 18, 1879.

Met at 8 a. m.

WILLIAM SMITH sworn.

Question. Were you an inspector of the election held for Derry Township, Mifflin County, November 5, 1878, at which a member of Congress was voted for?—Answer. Yes, sir; I was.

Q. State if the officers of the election in and for said district of Derry Township were sworn or affirmed before the opening of the election on November 5, 1878; and if you answer yes, state who swore them.—A. They were sworn; I think the judge, Stewart Garrett, was sworn by Wm. S. Settle, prothonotary of the court of common pleas, and he swore the rest of the board, including the clerks.

WILLIAM SMITH.

JAMES N. VANZANDT sworn.

Question. Were you the judge of elections at the election held in Newton Hamilton, November 5, 1878, at which a member of Congress was voted for?—Answer. I was.

Q. Who was the minority inspector?—A. Lewis Posthellwait.

Q. Who administered the oath to you as judge of the election?—A. Lewis Posthellwait.

Q. Who swore the balance of the board, the inspectors and clerks?—A. I did.

JAMES N. VANZANDT.

JAMES D. NORTON sworn.

Question. Were you one of the inspectors at an election held in Newton Hamilton, November 5, 1878, at which a member of Congress was voted for?—Answer. I was; I was appointed inspector in place of the majority inspector, who resigned in my favor.

Q. Were you sworn, and by whom?—A. I was; and by James N. Vanzandt, the judge of the election.

Q. By whom was the other inspector and the clerks sworn?—A. By the same judge.

Q. By whom was the judge sworn?—A. By the minority inspector.

Q. Were the polls kept open during the day up to seven o'clock in the evening?—A. They were.

Q. Did the clerks keep a list of the names of the voters at that election?—A. Yes, sir.

Cross-examined by JAS. S. RAKARD, Esq.:

Q. How, and by whom, were you chosen majority inspector at this election?—A. By Judge Vanzandt.

Q. Were the election officers and clerks sworn in the presence of each other?—A. They were.

JAS. D. NORTON.

JOHN Z. NORTON sworn:

Question. Were you one of the clerks at the election held in Newton Hamilton, November 5, 1878?—Answer. I was.

Q. Who was the other clerk?—A. James A. Odonnell.

Q. Were the clerks sworn; and if so, by whom were they sworn?—A. By Mr. Vanzandt, the judge of the election, in the presence of each other and the rest of the board; they were all there together.

Q. Did you keep a list of the names of the persons who voted at the election?—A. Yes, sir.

Q. Did the other clerk do the same?—A. Yes, sir.

J. Z. NORTON.

C. STEWART GARRETT sworn.

Question. Were you judge of election for Derry Township, held November 5, 1878, at which a member of Congress was voted for?—Answer. I was.

Q. Were you sworn; and if so, by whom?—A. I was sworn by the prothonotary, Wm. S. Settle, and afterwards by the minority inspector, James Siger.

Q. Did you swear the balance of the board—inspectors and clerks?—A. Yes, sir; I did.

Cross-examined by JAS. S. RAKARD, Esq.:

Q. When were you sworn by the minority inspector?—A. Before the opening of the election.

C. STEWART GARRETT.

Adjourned to meet at 8 o'clock a. m. March 19, 1879.

Met at 8 o'clock a. m. March 19, 1879.

JAMES H. CLOSE sworn.

Question. State whether or not you were an inspector at the election held November 5, 1878, for the election district, Mifflin County, of New Armagh; and if you state you were, then state whether you were the minority inspector or the majority inspector; also state whether a member of Congress was voted for at that election.—Answer. I was the minority inspector at that election, and there was a member of Congress voted for at that election.

Q. Before the election, were opened, were you sworn as inspector, and, if so, by whom was you sworn?—A. I was sworn by Robert J. Sterett, judge of the election, and before the election was opened.

Q. Was the other inspector and the clerk sworn before the election opened, and, if so, by whom were they sworn?—A. They were sworn before the election opened, and by Robert J. Sterett, the judge.

Q. Before the election opened, was Robert J. Sterett, the judge, sworn, and, if so, by whom was he sworn?—A. He was sworn by me, before the election opened, as minority inspector.

Q. Were all the election officers, including the clerks, present when these officers were respectively sworn?—A. They were.

JAMES H. CLOSE.

JOHN R. LONGWELL sworn.

Question. Were you a clerk at the election held in Mifflin County November 5, 1878, for the New Armagh election district, at which a member of Congress was voted for?—Answer. I was.

Q. State if before the election opened the judge, inspectors, and clerks were all sworn in the presence of each other; and, if so, by whom were they sworn?—A. They were all sworn before the election opened. James H. Close, the minority inspector, swore the judge, and Robert J. Sterett, the judge, swore the rest of the board, including the clerks. They were all sworn in the presence of each other.

JOHN R. LONGWELL.

JOSEPH D. FORREY sworn.

Question. State if you were judge of the election held in Mifflin County, November 5, 1878, for the election district in said county of Old Armagh, at which a member of Congress was voted for.—Answer. I was.

Q. State if before the election opened all the officers of the election, including the clerks, were sworn or not, and, if they were sworn, by whom.—A. They were all sworn before the election opened. Adam A. Brown, a justice of the peace and one of the inspectors of the election, swore the board, including the clerks, and I then swore him, Adam A. Brown, one of the inspectors.

Q. State if you had a list of the registered voters for that district from the commissioners of Mifflin County before you during that election day; and, if so, did you use it in marking off the voters as they voted?—A. We had such a list furnished by the county commissioners, and we marked off the voters as they voted.

(Registry of voters of Old Armagh Township, marked E. C 14, shown witness and hereto attached.)

Q. State if this is the list of registry of voters received by the board from the county commissioners and used by them at that election.—A. It is.

Cross-examined by JAS. S. RAKARD, Esq.:

Q. Was Adam A. Brown the minority or majority inspector?—A. I can't say whether he was the minority or majority inspector.

Q. When was the registry of voters used by you at the election sent to the election-board by the commissioners of Mifflin County?—A. I can't say, positively; I got the blanks for holding the election from Ner Thompson the morning of the election, and I think this was among them, but I am not positive.

Q. Was there not a registry of voters sent to your election-board by the commissioners of Mifflin County, written on foolscap paper?—A. This is the only document I saw of the kind.

Q. Is not this registry of voters marked E. C 14 the list of names sent to the election-assessor of Old Armagh Township by the commissioners of Mifflin County, to be revised by him and then to be returned to the commissioners as the June assessment?—A. I can't say whether it is or not.

Q. Where has this registry been since the November election?—A. I believe I returned it to the prothonotary along with the rest of the papers, but I am not positive.

Q. Do you know who sent this registry of voters to your election-board?—A. I do not.

Re-examined:

Q. State if any but qualified electors voted at the election of November 5, 1878, for member of Congress.

(Mr. Jas. S. Rakard objects: 1. That the witness is not competent to prove the fact proposed to be proved.)

A. None that I know of.

JOSEPH D. FORREY.

ADAM A. BROWN sworn.

Question. State if you are acting justice of the peace in the township of Armagh for the county of Mifflin, and were you such on November 5, 1878?—Answer. I am and was.

Q. Were you an inspector of the election held in Mifflin County for the election-district of Old Armagh November 5, 1878, at which a member of Congress was voted for?—A. I was.

Q. State whether or not the officers of that election were sworn before the election opened; and, if so, by whom were they sworn?—A. They were all sworn before the election opened. The judge, J. D. Forrey, swore me, and I swore all the rest.

Q. State if these oaths to the election officers were all administered in the presence of the whole board, including the clerks, and at whose request did you swear the board?—A. They were all sworn in the presence of each other, and I swore the board at the request of Joseph D. Forrey, the judge.

Q. (Paper, being register of voters for Old Armagh Township election district, marked E. C 14, hereto attached and already given in evidence, shown witness.) State if this was the register of voters at that election furnished by the county commissioners, and used by them as such at that election.—A. It was the registry we had there that day and used by us. Can't say positively where it came from.

Q. State if you marked the voters off on this list on that day at that election as they voted, with the letter "V" in pencil mark.—A. I did.

Q. State if any but qualified voters voted at that election.

(Mr. James S. Rakard objects: 1. That the witness is not competent to prove the fact; 2. That to show the right of an elector to vote, his specific qualifications must be stated.)

A. Not that I know of.

Cross-examined by JAMES S. RAKARD:

Q. Were you the minority or majority inspector?—A. I was the majority inspector. That is my impression now.

Q. In whose handwriting is paper marked E. C 14?—A. I believe it is in the handwriting of Peter Barefoot, the election assessor.

Q. Is not this the registry of voters that was put at the place of holding the election in Armagh Township prior to the sixty-one day assessment?—A. I do not know.

Q. Was there any other registry of voters sent you by the commissioners of Mifflin County than this written on foolscap?—A. I think that we had a registry of the sixty-day assessment on foolscap, but I don't know where it came from.

Q. Was this registry marked E. C 14 in the election papers sent the election board by the county commissioners?—A. I believe that it was.

Q. Where has this registry been since the November election?—A. I do not know.

Re-examined:

Q. State if you had any other register of voters of the fall and June assessments, other than the paper marked E. C 14, before the board on that day.—A. We had not.

ADAM A. BBOWN.

JOSEPH H. CARGILL sworn.

Question. State where your place of residence was November 5, 1878, and where it had been six months prior to that date, and where it has been ever since, and if you are a married man or not, and where your family resided during all that time.—Answer. I am a married man, and I resided with my family in Oliver Township November 5, 1878, for six months before that time, and ever since.

Q. State if you voted at the election held in Granville Township, Mifflin County, November 5, 1878 for a member of Congress, and, if so, for whom did you vote?—A. I did vote at that election in Granville Township and for Andrew G. Curtin for member of Congress.

Cross-examined by JAS. S. RAKARD, Esq.:

Q. How long have you been married?—A. Going on five years.

Q. How long have you been keeping house?—A. I have been keeping house ever since I have been married.

Q. How long had you kept house in Oliver Township before the November election?—A. In March, 1878, I moved into Oliver Township, and have been keeping house from that time on there.

Q. Whose house are you living in?—A. I rented from Joseph M. Woods, agent.

Q. How did you come to vote in Granville Township?—A. I paid my taxes here and was assessed here.

Q. Did you read your ticket?—A. Yes, sir; I read my ticket.

Q. Who did you get the ticket from?—A. George Settle.

his
JOSEPH + H. CARGILL.
mark

Witness to signature:

EDMUND CONRAD.

Adjourned to meet at 1 o'clock p. m., March 19, 1878.

Met at 1 o'clock p. m.

JOHN C. BARCLAY sworn.

Question. Where did you reside on the 5th day of November, 1878?—

Answer. I was boarding with William Knepp, in Oliver Township.

Q. When did you go to board with William Knepp, in Oliver Township?—A. On the 5th of October, 1878.

Q. What business were you engaged in in Oliver Township when you were boarding with Mr. Knepp?—A. Teaching school.

Q. State whether or not you voted in Granville Township at the election held November 5, 1878, for a member of Congress; and if so, for whom did you vote?—A. I did vote in Granville Township on the day of the election, and voted for Andrew G. Curtin.

Q. Are you a married or single man?—A. I am a single man.

Cross-examined by Mr. PARKER:

Q. At what place did you vote in Granville Township?—A. I voted in Lewistown Borough, where the Granville election was held.

Q. Had you resided in Oliver Township any time before you went to Mr. Knepp's to board?—A. No, sir; I had not resided there since in the spring, 1878, until October, 1878.

Q. How long had you resided in Oliver Township before you left in the spring of 1878?—A. I went there, as a resident, with my clothing, some time in November, 1877.

Q. Where did you reside from the spring of 1878 until November, 1878?—A. I was a traveling agent through the counties of Indiana, Jefferson, Armstrong, and Clearfield.

J. C. BARCLAY.

Adjourned to meet upon notice given to attorneys of contestant.

Erasures and interlineations.

The abbreviation "Ans." in the margin at line 17, page i, erased.

The figures "21" and "22" on line 28, page ii, erased.

The abbreviation "Ques." in the margin at line 3, page iii, erased.

The words "did see the returns" line 24, page v, erased.

The word "partly" on page vi, interlined between lines 16 and 17.

The words "one case" on page vi, interlined between lines 27 and 28.

The letters "p i t n e s s," on line 18, page vii, erased.

The words "did you," line 28, page vii, erased.

The word "prior," line 3, page viii, erased.

The word "said" on line 10, page viii, interlined between lines 9 and 10.

The word "did" and the letter "y" on line 12, page viii, erased.

The words "at least" on page viii, between lines 14 and 15, interlined.

The word "where" on line 28, page viii, erased.

The word "what," page ix, interlined between lines 3 and 4.

The word "by," page ix, interlined between lines 4 and 5; and the word "by" on line 5, same page, erased.

The abbreviation "Ans." in the margin at line 11, page ix, erased.

The words "that we of had" on line 13, page ix, erased.

The word "man" on line 21, page x, erased.

The syllable "em" on line 14, page x, erased.

The word "that" on page xi, interlined between lines 9 and 10.

The word "for" on line 18, page xi, erased.

The letter "d" on line 29, page xi, erased.

The word "them" on line 17, page xii, erased.

The word "the" on page xiii, line 1, interlined.

The word "the" on page xiii, interlined between lines 5 and 6.

The abbreviation "Ques." in margin on page xiii, at line 7, and the words "how do you know" on same line, erased, and the words "if my memory serves," interlined between lines 6 and 7, same page.

The word "as" on page xiii, interlined between lines 20 and 21.

The words "Mr. Hafley had the June ass" on line 29, page xiii, erased.

The words "if they had" on page xiv, interlined between lines 17 and 18.

The word "upon" on page xiv, interlined between lines 20 and 21.

The abbreviation "Ans." in margin at line 26, page xiv, erased.

The word "previous" on line 3, page xv, erased.

The words "did not appear on the registry of voters" on lines 8 and 9, page xv, erased.

The word "partly" on page xv, interlined between lines 17 and 18, and the word "elected," line 26, same page, erased.

The word "winter," line 6, page xvi, erased.

The word "been," page xvii, interlined between lines 7 and 8.

The syllable "Reg" on line 12, and the word "that" on line 14, page xvii, erased.

The word "you," line 18, page xvii, erased, and the words "the election board" interlined instead.

The word "that" on line 1, page xviii, interlined.

The abbreviation "A. M.," page xviii, interlined between lines 11 and 12.

The words "To see," line 13, page xx, erased, and the word "it," same page, interlined between lines 12 and 13.

The words "as I unders," line 17, page xx, erased.

The word "what," page xxi, interlined between lines 27 and 28.

The words "it was," page xxii, line 16, erased and the word "you" interlined instead.

The abbreviation "Ques." in margin at line 7, page xxiii, and the letter "W," same line, erased and the word "other," on line 13, same page, erased.

The abbreviation "Ans." in margin at line 14, page xxiii, erased.

The words "for election so far as," line 25, and the word "held," line 27, page xxiv, erased.

The word "returns," line 30, page xxiv, erased, and the word "papers" interlined in its place.

The word "returns," line 9, page xxv, erased, and the word "papers" interlined instead.

The words "east ward of the borough of Lewistown," lines 16 and 17, page xxv, erased, and the words "township of Bratton, Mifflin Co." interlined instead.

The words "tally list," line 24, page xxvi, interlined.

The words "in connection" and the letters "E. C. No.", line 4, page xxvii, erased.

The word "the" on page xxvii interlined between lines 5 and 6, and the syllables "elec" on line 7, same page, erased.

The words "number" on line 23, "his" on line 25, and "held" on line 26, page xxvii, erased.

The letters "E. C." and the figure "1" on line 20 and the word "being" on line 23, page xxviii, erased.

The words "of the" on page xxviii, interlined between lines 23 and 24.

The word "for" on line 25, page xxviii, erased.

The words "of votes," page xxix, interlined between lines 13 and 14.

The abbreviation "Ans." in margin at line 21, page xxix, erased.

The abbreviation "Ans." in margin at line 15, and the words "Mr. Parker objects," on same line, page xxxi, erased.

The word "and," page xxxi, interlined between lines 16 and 17.

The syllables "a" and "me," line 26, page xxxi, erased.

The word "meeting," line 8, page xxxii, erased.

The abbreviation "Ques." in margin at line 10, page xxxii, erased.

The words "or tend to show," interlined between lines 4 and 5, page xxxiii, and the word "that" erased.

The word "one," line 1, page xxxiv, erased.

The letter "y" and the word "were," line 15, and the words "by me the," line 16, page xxxv, erased.

The words "of the court of common pleas" interlined between lines 28 and 29, page xxxvi.

The word "meeting," line 1, page xxxvii, erased.

The words "I was appointed inspector in place of the" interlined between lines 19 and 20, page xxxvii.

The abbreviation "Ques." in margin at line 21, page xxxvii, erased.

The words "if so," between lines 18 and 19, and the words "the board," between lines 22 and 23, page xxxviii, interlined.

The words "one of" interlined between lines 19 and 20, page xli.

The words "papers" and "marked" line 30, page xli, erased.

The words "and hereto attached" interlined between lines 1 and 2, page xlii.

The word "documents" on line 15, page xlii, erased.

The word "election" interlined between lines 26 and 27, page xlii.

The word "commissioners," line 5, page xliii, erased.

The word "here," line 11, page xlvii, erased.

The words "where is your home when" and the abbreviation "Ques." in margin of line and on line 9, page xlviii, erased.

The words "how do you" line 13, page xlviii, erased.

The abbreviation "Ans." in margin at line 14, page xlviii, erased.

The abbreviation "Ans." in margin and the words "I had resided there the winter previous," line 19, page xlviii, erased.

The abbreviation "Ques." and the words "had you ever voted in Oliver Township before," line 30, page xlviii, erased.

Oath of clerk.

STATE OF PENNSYLVANIA,

Mifflin County, ss:

Joseph M. Woods, being duly sworn, did depose and say that as clerk for Edmund Conrad, notary public in and for Mifflin County, and a resident of the twentieth Congressional district of the State of Pennsyl-

vania, and before whom the testimony of witnesses was taken in the matter of the contest for a seat in the House of Representatives of the United States of America in the Forty-sixth Congress, between Andrew G. Curtin, contestant, and Seth H. Yocum, incumbent, he did impartially and truly write down the whole of the evidence of each and every witness produced, sworn, or affirmed and examined in relation to any matter touching said contest; and he does further certify that the erasures and interlineations made therein and particularly set forth in paper marked A were made by him on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses and in the presence of the witnesses and in the presence of Edmund Conrad, the notary public before whom the evidence was taken, and in the presence of the attorneys for Andrew G. Curtin, the contestant, and the attorneys for Seth H. Yocum, the incumbent, and in all things truly and faithfully performed his duty as clerk to the best of his ability.

JOSEPH M. WOODS.

Sworn and subscribed before me this 29th day of March, A. D. 1879.

[SEAL.]

EDMUND CONRAD,

Notary Public.

STATE OF PENNSYLVANIA,

Mifflin County, ss:

I, Edmund Conrad, a notary public in and for the said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and places as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence; and that the questions and answers in said depositions were taken down by Joseph M. Woods, my clerk (who was first duly sworn according to law), truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made therein and particularly set forth in paper marked A were made by my said clerk on the lines and pages therein noted before the respective depositions in which they were made were signed by the witnesses and in the presence of the witnesses and in the presence of Edmund Conrad, the notary public before whom the evidence was taken, and in the presence of the attorneys for Andrew G. Curtin, the contestant, and the attorneys for Seth H. Yocum, the incumbent; and I do further certify that the papers marked E. C (1), E. C (2), E. C (3), E. C (4), E. C (5), E. C (6), E. C (7), E. C (8), E. C (9), E. C (10), E. C (11), E. C (12), E. C (13), E. C (14), and hereto attached, were given in evidence before me.

Witness my hand and notarial seal this 29th day of March, 1879.

[SEAL.]

EDMUND CONRAD,

Notary Public.

E. C (1).

Lewistown, West Ward.

JUDGE'S OATH.

I, Jos. S. Waream, do swear that I will as judge duly attend to the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I

firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, and that I will use my endeavors to prevent any fraud, deceit, or abuse, in carrying on the same by citizens qualified to vote, or others, and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JOS. S. WAREAM.

Sworn and subscribed to before me this 5th day of November, 1878.

INSPECTOR'S OATH.

I, Frank H. Wentz, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

FRANK H. WENTZ.

Sworn and subscribed to before me this 5th day of November, 1878.

INSPECTOR'S OATH.

I, James B. Thomas, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JAMES B. THOMAS.

Sworn and subscribed to before me this 5th day of November, 1878.

FRANK H. WENTZ.

CLERK'S OATH.

I, Joseph R. Cordes, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my

duty respecting the same, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JOS. R. CORDES.

Sworn and subscribed to before me this 5th day of November, 1878.
FRANK H. WENTZ.

CLERK'S OATH.

I, W. W. Marks, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

W. W. MARKS.

Sworn and subscribed to before me this 5th day of November, 1878.
FRANK H. WENTZ.

List of voters at general election in west ward, Lewistown Borough, November 5, 1878.

- | | |
|---------------------------|-----------------------------|
| 1 Joseph McCulloch | 31 George Wiley |
| 2 Benj. Pauling | 32 Thomas Williams (col'd) |
| 3 Dr. McClean | 33 John Sipe |
| 4 John S. Garrett | 34 A. H. Sheaffer |
| 5 Jos. A. Fichthorn | 35 Anthony Myers |
| 6 Jos. S. Waream | 36 Thomas Dunlap |
| 7 Edw'd B. Taylor | 37 Patrick Foley |
| 8 R. A. Campbell | 38 George Maben |
| 9 H. G. Bratton | 39 William H. Glazier (age) |
| 10 Sam'l Gross | 40 George S. Davis |
| 11 J. K. Rhodes | 41 H. J. Walters |
| 12 J. B. Reimensnyder | 42 William Willis |
| 13 Wm. Brannon | 43 D. M. Dull |
| 14 Edw. Walters | 44 Irvin Broom |
| 15 Geo. W. Elder | 45 George Harris (col'd) |
| 16 G. T. Waters | 46 Charles B. Briner |
| 17 John L. Griffith (col) | 47 John Carter (col'd) |
| 18 Lewis Thomas (col'd) | 48 David Wasson, jr. |
| 19 Wm. Pauling | 49 William McKruriey |
| 20 James Rhodes (col'd) | 50 Sam'l Miller |
| 21 Daniel Zeigler | 51 George Mitchell |
| 22 Alex. McDonald (col'd) | 52 August Miller |
| 23 William Cochran | 53 Jerry Conk (col) |
| 24 William Hontz | 54 Abraham Shull |
| 25 Thomas Cameron | 55 Jerry Jackson (col'd) |
| 26 Jos. R. Cordes | 56 John A. Shimp |
| 27 James S. Galbraith | 57 John Boone (col) |
| 28 David Rhodes | 58 G. V. McKinney |
| 29 Sam'l Witherow | 59 James Gibbs (col'd) |
| 30 Jas. S. Rakerd | 60 R. A. McKee |

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|-----|------------------------|-----|---------------------|
| 61 | Lemuel Johnson (col'd) | 117 | Wm. C. Bratton |
| 62 | Reuben Smith | 118 | L. J. Koch |
| 63 | George Corbett (age) | 119 | Andrew Grabbe |
| 64 | Jesse Brown (col'd) | 120 | William Staley |
| 65 | George Hart | 121 | Jas. N. Miller |
| 66 | Elw. Callahan | 122 | Wm. Saxton |
| 67 | George Molsen (col) | 123 | W. A. Fichthorn |
| 68 | Isaiah Marks | 124 | W. H. Palmer (col) |
| 69 | Aaron Vincent (col) | 125 | Wm. Irvin |
| 70 | William McConahy | 126 | Henry Sherman |
| 71 | David Creswell (col'd) | 127 | Gilbert Hogle |
| 72 | Sam'l Rarick | 128 | James Lilley |
| 73 | Joseph Gibbs (col'd) | 129 | Gottlieb Leukhardt |
| 74 | John Gochnaur | 130 | Wm. Peterson (col) |
| 75 | William Molson (col'd) | 131 | Thos. Lowmiller |
| 76 | Sam'l H. Berryhill | 132 | Kirk H. McClintie |
| 77 | John McKim (col) | 133 | C. W. Walters |
| 78 | William Holland (col) | 134 | Daniel Keller |
| 79 | James Blanchard | 135 | George Clum |
| 80 | John Moury | 136 | Henry Bossinger |
| 81 | James Eager | 137 | John Shaw |
| 82 | Robt. Myers | 138 | Chas. Kissinger |
| 83 | John M. Nolte | 139 | Thos. B. Reese |
| 84 | George B. Yocum | 140 | Wm. Gibbs |
| 85 | Wilson Harnaker | 141 | Walter Meredith |
| 86 | James Morrison | 142 | J. Ard Berryhill |
| 87 | Wm. Cunningham | 143 | George Temple |
| 88 | Wm. Gibbons (col) | 144 | John W. Morrison |
| 89 | Alfred Hull | 145 | John H. Miller |
| 90 | Wm. P. Elliott | 146 | Sam'l McCallister |
| 91 | John Allen | 147 | William McCallister |
| 92 | George R. Frysinger | 148 | William Hawk |
| 93 | David Boone (col) | 149 | M. W. Thomas |
| 94 | James Smithers | 150 | John McCormick |
| 95 | James Rosenbery | 151 | T. B. Reid |
| 96 | John Saylor | 152 | Peter Eby |
| 97 | C. S. McCoy | 153 | George Patterson |
| 98 | James Stevens (col) | 154 | Lewis Bossinger |
| 99 | R. C. Elder | 155 | John Harris (col.) |
| 100 | Sam'l Eisenbise | 156 | T. H. Vanvalzah |
| 101 | Robt. Smith | 157 | Jonathan Barrels |
| 102 | John McKee | 158 | A. J. Kuhn |
| 103 | Robt. H. Shirp (age) | 159 | James Wiley |
| 104 | Jos. N. Fleming | 160 | Saml. Rodgers |
| 105 | James Gill | 161 | Levi Day |
| 106 | Wm. M. Siers | 162 | Peter Clum |
| 107 | James M. Thomas | 163 | L. B. Rofer |
| 108 | S. F. Morrison, sen. | 164 | Geo. W. Swartz |
| 109 | R. H. McClintie | 165 | G. K. McClintie |
| 110 | James Nichols | 166 | Calvin Batler |
| 111 | William Bratton | 167 | Daniel Trout |
| 112 | R. H. Jackson | 168 | Wm. H. Keller |
| 113 | John Rager | 169 | Henry A. Walters |
| 114 | William Custer | 170 | George McCook |
| 115 | James Hall (col) | 171 | George Brown |
| 116 | I. W. Brown (col) | 172 | R. J. Coplin |

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|-----------------------------|------------------------------|
| 173 C. C. Eddy | 229 Jacob Wilt |
| 174 Sam'l Richardson (col.) | 230 Geo. Francis Brooks |
| 175 John Shimp | 231 Geo. Brooks |
| 176 F. H. Wentry | 232 Alexander Wayne |
| 177 Edw. Reese | 233 James A. Stevens |
| 178 John Palmer (col.) | 234 Geo. W. Stahl |
| 179 William Barrels | 235 Jacob Klase |
| 180 Henry Hineman | 236 Lazarus Steely |
| 181 Sam'l F. Morrison, jr. | 237 William Steely (col.) |
| 182 D. M. Rittenhouse | 238 P. M. Ort |
| 183 Chas. Little | 239 A. J. Atkinson |
| 184 Wm. A. Keller | 240 William R. Cooper |
| 185 T. B. Smith | 241 Chas. A. Miller |
| 186 James McCafferty | 242 J. H. Smith |
| 187 Wm. Johnson (col.) | 243 Jos. McFadden |
| 188 W. W. Marks | 244 Chas. S. Marks |
| 189 Porter Burns | 245 John Baum |
| 190 Edw. J. Frysinger | 246 George Nipple |
| 191 Philip Scott (col.) | 247 John Wilson |
| 192 John Meffard (age) | 248 Samuel Dunkinson |
| 193 Isaac Quay | 249 Cyrus Corbett |
| 194 N. C. Wilson | 250 M. R. Thompson |
| 195 Jos. E. Williams | 251 S. A. Marks |
| 196 Wm. Palmer (col.) | 252 John A. Fink |
| 197 W. B. Morrison | 253 Reed Jones |
| 198 Wm. Anderson (col.) | 254 Jacob Kline |
| 199 George Rarick | 255 Sam'l Hess |
| 200 George Frysinger, sen. | 256 John H. Davis |
| 201 W. W. Mayes | 257 Benj. F. Hogle |
| 202 Sam'l Callahan | 258 Wm. O'Brien |
| 203 Frank Wolfe | 259 Henry Withoff |
| 204 Forrest Burlew (age) | 260 Jos. H. Chambers |
| 205 Peter Landenslager | 261 Robt. Gross |
| 206 Henry Wallace (col.) | 262 Josiah Brininger |
| 207 James Brate Thomas | 263 John Spratt |
| 208 Constantine Miller | 254 Fred'k Smith |
| 209 Daniel Kauffman | 265 Henry S. Jacobs |
| 210 Sam'l Yocum | 266 Joshua Morrison |
| 211 George W. Hess | 267 Henry Moyer |
| 212 Conrad Sherman | 268 Wm. Davis |
| 213 Lewis Limes | 269 John S. Marks |
| 214 S. J. Brisbin | 270 William Nighthart |
| 215 Jos. L. McKinney | 271 William Henze |
| 216 David Wassin, sen. | 272 William McLaughlin |
| 217 Byron Carpenter | 273 James S. Stackpole (age) |
| 218 Abraham Mefford | 274 John Hanbrick |
| 219 Luther Ort | 275 Jackson Hanbrick |
| 220 Harry Fagan | 276 Herbert T. Reese |
| 221 Gilbert Sager | 277 A. L. Etnier |
| 222 Geo. W. Smith | 278 Jos. Alter |
| 223 Thomas Brannan | 279 James Vanzant |
| 224 Chas. R. Marks | 280 John A. Waream |
| 225 John Kephart | 281 George Brooks |
| 226 J. J. Parker | 282 Wm. N. Hoffman |
| 227 Alex. Burlew | 283 Alfred Etnier |
| 228 W. H. Bratton | 284 Jos. M. Limes |

285 W. W. Fear	313 Walker Smith (col.)
286 Lewis Bickle	314 J. Monroe Alter
287 Lewis H. Trout	315 Henry Shellenberg
288 Philip Hall	316 Zach. Rothrock
289 James Hall	317 James Burlew
290 Wm. M. Hall	318 George Ulrich
291 C. C. Price	319 Jacob C. Blymyer
292 Jos. Fultz	320 Andrew Wolfkill
293 Wm. Bannon	321 A. S. Dunn
294 James Mayes	322 Scott Miller (age)
295 Geo. Bruce, sen. (col.)	323 William Soles
296 David Kline	324 David Lachy
297 John Hess	325 H. C. Lewis
298 Jacob Glant	326 Jacob Steidley
299 Henry McCullough	327 Rob't Riden
300 Geo. L. Hebman	328 John Moyer
301 Henry Bloomstine	329 Jas. D. Ricketts
302 Wm. Bloomstine	330 Henry P. Ort
303 John Sherman	331 James A. Jackson
304 Joseph C. Limes	332 Armstead Willaid
305 Joseph Rager, jr. (age)	333 James S. Weldon
306 James Gayton	334 Thos. Hays
307 Joseph Roger, sen.	335 Isaac Pecht
308 Joseph Heidley	336 Landrum Buchanan
309 Albert C. Giffin	337 I. E. Shaffer
310 William Mull	338 William Wagner
311 W. H. Haas	339 Fred'k Steidley.
312 John Moreland	

Return made and filed November 6, 1878, at 1 o'clock and 50 minutes a. m.

Copy of return-sheet of the west ward of Lewistown, Mifflin County, Pennsylvania, as filed in the prothonotary's office of said county November 6, 1878, as relates to the vote for Congress.

Andrew G. Curtin had one hundred and seventy-five votes (175).

Seth H. Yocum had one hundred and fifty-five votes (155).

STATE OF PENNSYLVANIA,

County of Mifflin, ss:

I, Wm. S. Settle, prothonotary of, in, and for said county and State, hereby certify that the above and foregoing is a true, full, and correct copy of the oaths of election officers, list of voters, and of that part of the return-sheet wherein is contained the vote for Congress of the west ward of Lewistown, Mifflin County, Pennsylvania, as full and entire as the same were filed and remain of record in the aforesaid court. In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., this 12th day of March, A. D. 1879.

[SEAL.]

WM. S. SETTLE, *Prothonotary*.

E. C. (2).

Lewistown, East Ward.

JUDGE'S OATH.

I Thos. Stroup, do swear that I will, as judge, duly attend to the ensuing election during the continuance thereof, and faithfully assist the

inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, and that I will use my endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others, and that I will make a true and perfect return of the said election, and within all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

THOS. STROUP.

Sworn and subscribed to before me this 5th day of November, 1878.

INSPECTOR'S OATH.

I, Geo. W. Goddard, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

G. W. GODDARD.

Sworn and subscribed to before me this 5th day of November, 1878.

INSPECTOR'S OATH.

I, C. M. Shull, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

C. M. SHULL.

Sworn and subscribed to before me, this 5th day of November, 1878.

CLERK'S OATH.

I, T. J. Hibsman, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspec-

tors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

T. J. HIBSHMAN.

Sworn and subscribed to before me, this 5th day of November, 1878.

CLERK'S OATH.

I, R. U. Marks, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

R. U. MARKS.

Sworn and subscribed to before me this 5th day of November, 1878.

East Ward, November 5, 1878.

- | | |
|--------------------------|---------------------|
| 1 J. A. Ewing | 32 Samuel Killian |
| 2 H. H. Matter | 33 R. W. Patton |
| 3 Nathan Comfort | 34 Wm. B. Weber. |
| 4 D. W. Woods | 35 Thomas Davis |
| 5 T. G. Gray | 36 W. W. Trout |
| 6 Wm. Riden | 37 Means McCoy |
| 7 J. B. Selheimer | 38 H. W. Junkin |
| 8 Geo. Pauling | 39 A. B. Parker |
| 9 D. B. Weber | 40 W. H. Parcels |
| 10 Benj. Gardner | 41 D. C. Matter |
| 11 Abraham Kitting | 42 Nathan Kennedy |
| 12 John Kitting | 43 E. M. Zerbe |
| 13 A. H. Knepp | 44 J. W. Shaw |
| 14 N. J. Rudisill | 45 Wm. Seitles |
| 15 Foster Rankin | 46 Peter Printz |
| 16 Joseph Hoot | 47 James Jack |
| 17 David C. Hamaker | 48 Sam. W. Martin |
| 18 James Firoved | 49 C. S. Hurlbut |
| 19 Joseph Woods | 50 Wm. Hoot |
| 20 J. W. Selheimer | 51 O. Umberger |
| 21 Geo. W. Sault | 52 Geo. Bealis |
| 22 David Pratt | 53 John Hamilton |
| 23 Sam. Nightsinger, jr. | 54 Gum Morrison |
| 24 Wm. Blett | 55 Eph. Wian |
| 25 Gabriel Carpenter | 56 Descartes Kelley |
| 26 T. M. Uttley | 57 Mitchell Jones |
| 27 Robert Hockey | 58 W. C. Porter |
| 28 A. H. McNight | 59 Nathan Chester |
| 29 C. W. Kreider | 60 John H. Dewees |
| 30 Wm. Russell | 61 John Albright |
| 31 Wm. C. Russell | 62 James B. Allison |

63 Samuel Belford	119 Wm. Tice
64 Anthony McCauley	120 A. C. Tice
65 Albert Rearick	121 F. G. Franciscus
66 H. A. Felix	122 Danl. Tice
67 Samuel Nightsinger	123 Wm. H. Hoffman
68 W. H. Davis	124 Conrad Peters
69 C. C. Keenan	125 Adam Lutzgaselle
70 Abraham Frank	126 L. W. Matters
71 Geo. Flory	127 Chas. Pierce
72 John A. McKee	128 Geo. Rudisill
73 Wm. Rountree	129 Saml. Walters
74 Peter Spangler	130 Chas. M. Kitz
75 J. R. McCoy	131 H. J. Culbertson
76 J. A. Miller	132 G. E. Conner
77 Adam Rankin	133 James W. Smith
78 J. W. Kennedy	134 John C. Sigler
79 Abraham Yearick	135 Thos. Mayes
80 W. V. B. Coplin	136 J. A. Daniels
81 W. R. McKee	137 Howard Chester
82 A. Troxell	138 Porter Allison
83 John P. Gro	139 Geo. Hoffman
84 John Hoffman	140 Joseph Seitles
85 John Kennedy	141 J. M. Webb
86 Thos. Shatzer	142 W. O. Thrush
87 John Seitles	143 F. B. McCabe
88 S. S. Woods	144 C. F. Dennis
89 Jos. W. Parker	145 John Rook
90 Wm. S. Settle	146 B. F. Miller
91 Adam Hamaker	147 Mitchel Bricker
92 E. E. Locke	148 John C. Stewart
93 C. M. Shull	149 John A. Junkin
94 Geo. Goddard	150 Howard Montgomery
95 A. S. Rosenberg	151 Stephen Felix
96 W. H. Myers	152 Jacob Breneman
97 Jacob Sides	153 Frank Kirk
98 C. R. Dalby	154 Wm. Dunn
99 Wm. Nickey	155 Abraham Kitting
100 Henry Frank	156 James M. Goodhart
101 Wm. McHenry, jr.	157 Joseph Robinson
102 James C. Robison	158 Fred Bossinger
103 John Fichthorn	159 John C. Clark
104 J. M. Woods	160 Amos Hoot
105 Henry Sides	161 David Shatzer
106 W. F. Speth	162 L. R. Hibsman
107 W. W. Allison	163 Jacob Harland
108 LaFayette Webb	164 R. H. Montgomery
109 Geo. Miller	165 Frank Kline
110 Wm. Orner	166 David Yearick
111 Sylvester Cooper	167 Geo. Forsythe
112 W. C. Vines	168 John Vaulier
113 John S. McEwen	169 Frank Kirk
114 Geo. B. Lindemuth	170 S. B. Weber
115 John M. Wimer	171 F. R. Carter
116 Chas. Kitz	172 Henry Frysinger
117 Chas. Nightsinger	173 C. A. Zerbe
118 John Threlkeld	174 John Davis

- | | |
|-------------------------|-------------------------|
| 175 James Crutchley | 231 Geo. Hornby |
| 176 John Clark, sr | 232 John B. Davis |
| 177 Thomas Shell | 233 F. Thomas |
| 178 John Brown | 234 W. R. Bailey |
| 179 Anthony Felix | 235 W. I. Pierce |
| 180 Chas. A. Blymyer | 236 Chas. Stratford, jr |
| 181 Isaiah Coplin | 237 David Womer |
| 182 James Glaut | 238 Saml. Gibson |
| 183 Abraham Stouffer | 239 Geo. Blymyer, jr |
| 184 Thomas Strang | 240 J. T. M. Thompson |
| 185 Francis McClure | 241 John R. Wilt |
| 186 James Tenpenny | 242 John Peters |
| 187 James P. Franciscus | 243 F. E. Stickney |
| 188 W. F. Shaw | 244 Geo. Carney |
| 189 Edward Little | 245 John Houtz |
| 190 Arthur B. Long | 246 S. S. Wood |
| 191 David Muthersbough | 247 Joseph Hughes |
| 192 Geo. Bates | 248 Wm. Johnson |
| 193 Wm. Fetzer | 249 W. H. Schuyler |
| 194 Geo. Fetzer | 250 W. R. Clark |
| 195 Laird Bricker | 251 J. C. Prettyleaf |
| 196 Andrew Reed | 252 Reuben Houser |
| 197 Christ Lyter | 253 Geo. D. Eyster |
| 198 Robt. Kaley | 254 W. H. Basford |
| 199 Thomas Hummell | 255 James Pointz |
| 200 Chas. Chester | 256 J. L. Marks |
| 201 Wm. Montgomery | 257 I. W. McCord |
| 202 Daniel Gross | 258 Henry Nighthart |
| 203 Joseph Junkin | 259 R. N. Marks |
| 204 G. M. Fice | 260 John Poice, sr |
| 205 C. B. Breneman | 261 John Eyster |
| 206 A. Brought | 262 Saml. Chestnut |
| 207 J. M. Owens | 263 Chas. Hoot |
| 208 A. W. Porter | 264 Jos. Comfort |
| 209 Andrew Brown | 265 John S. Weber |
| 210 I. W. Woods | 266 Danl. Pointz |
| 211 C. W. Stauffer | 267 Morris Rodgers |
| 212 Thomas Stroup | 268 O. C. Chesney |
| 213 Geo. G. Blymyer | 269 John Berryhill |
| 214 John S. Reed | 270 Geo. Free |
| 215 John Kline | 271 John Spiece |
| 216 Michael Tenpenny | 272 Theo. Loudenslager |
| 217 F. F. McCoy | 273 Wm. Notestine |
| 218 R. J. Graham | 274 James Dalby |
| 219 J. P. Blymyer | 275 Thos. McFadden |
| 220 J. I. Wallis | 276 David Grove |
| 221 Chas. Kitting | 277 John Malanpy |
| 222 John Evans | 278 Martin Riden |
| 223 Edward Frysinger | 279 Geo. M. Murray |
| 224 Peter Dryer | 280 Samuel Kaley |
| 225 John Sunderland | 281 J. T. McClure |
| 226 John Saxon | 282 Fred. Geibel |
| 227 D. E. Robison | 283 W. H. Platt |
| 228 Sylvester Brannon | 284 James W. Galbraith |
| 229 Henry Hassinger | 285 W. E. Eyster |
| 230 Henry Dipple | 286 E. Boehner |

287 John McCreary	326 Leo Koenig
288 John Strunk	327 E. Keonig
289 Chas. Frain	328 John Martin
290 Robt. Junkin	329 C. Green
291 Saml. Rhodes	330 Abraham Blymyer
292 C. W. Lind	331 Wm. Pointz
293 John Moon	332 John Clark, jr.
294 Harry Neater	333 Jacob Youtzey
295 A. P. Blymyer	334 W. B. Blymyer
296 Theo. Haber	335 Daniel Beasley
297 Allen Schoch	336 Richard Satzer
298 Wm. Lind	337 James N. Blymyer
299 J. Marks	338 Abner Robins
300 W. W. Murphy	339 G. W. Peters
301 John Knisely	340 Wm. Selheimer
302 Evan Hildebrand	341 W. R. Bell
303 James Glenin	342 Joseph Orner
304 Wm. Banks	343 John Grner
305 Wm. Knisely	344 David Montgomey
306 Char. Beasley	345 S. H. Miller
307 Walter Thompson	346 Henry Dumpsman
308 Calvin Dufur	347 Lewis Yeates
309 John Satzer	348 J. H. Sponsler
310 Joseph G. Strunk	349 John W. Bonsman
311 John Ker	350 Chas. Pointz
312 David Muthersbough	351 Harry Morrison
313 Harry Lytle	352 E. Felsburg
314 R. C. Patterson	353 F. C. May
315 W. H. Kitting	354 H. R. Zorbe
316 Joseph A. Wertz	355 W. E. Felix
317 John L. Brower	356 Wm. Eord
318 Henry Printz	357 Dickson Brown
319 Z. T. Dennis	358 Amos Penepacker
320 Harrison Dufur	359 John Bushe
321 Chas. Shimp	360 Wm. Beasley
322 T. J. Hibsman	361 James Glenin, jr.
323 J. C. Knisely	362 Cash Worner
324 Joseph S. Lyter	363 James H. Clover
325 A. E. Printz	

Return made and filed Nov. 6, 1878, at 9 o'clock a. m.

Copy of that part of the return sheet of the East Ward of Lewistown, Pa., filed November 6, 1878, relating to the vote cast for Andrew G. Curtin and Seth H. Yocum.

CONGRESS.

Andrew G. Curtin had one hundred and eighty-seven votes (187).
Seth H. Yocum had one hundred and seventy-two votes (172).

STATE OF PENNSYLVANIA,
County of Mifflin, ss :

I, William S. Settle, prothonotary of, in, and for said county and State, hereby certify that the above and foregoing is a full, true, and correct copy of the oaths of election officers, list of voters, and of that

part of the return sheet as relates to the vote for Congress of the east ward of the borough of Lewiston, Pa., as full and entire as the same remains of record in the aforesaid court.

In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., March 12, A. D. 1879.

[SEAL.]

WM. S. SETTLE,
Prothonotary.

E. C (3).

Bratton.

JUDGE'S OATH.

I, Wm. M. Atkinson, do swear that I will, as judge, duly attend to the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my endeavors to prevent any fraud, deceit, or abuse in carrying on the same, by citizens qualified to vote or others, and that I will make a true and perfect return of the said election, and will, in all things, truly, impartially, and faithfully perform my duty respecting the same, to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

WM. M. ATKINSON.

Sworn and subscribed to before me this — day of 5 Nov., 1878.

INSPECTOR'S OATH.

I, James Keninger, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JAMES KENINGER.

Sworn and subscribed to before me this 5th day of Nov., 1878.

W. M. ATKINSON,
Judge of Election.

INSPECTOR'S OATH.

I, Abram Moist, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor

will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

ABRAM MOIST.

Sworn and subscribed to before me this 5th day of Nov., 1878.

W. M. ATKINSON,
Judge of Election.

CLERK'S OATH.

I, James Walls, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JAMES WALLS.

Sworn and subscribed to before me this 5 day of Nov., 1878.

W. M. ATKINSON,
Judge of Election.

CLERK'S OATH.

I, Wm. C. Stubbs, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

WILLIAM C. STUBBS.

Sworn and subscribed to before me this 5th day of Nov., 1878.

W. M. ATKINSON,
Judge of Election.

List of voters Bratton district.

- | | |
|-----------------------|--------------------------|
| 1 Lawrence Krepps | 12 Christian Miller, jr. |
| 2 Saml. Rhodes | 13 Abram Brown |
| 3 Daniel Grassmyer | 14 A. K. Gunter |
| 4 Elias Gloss | 15 John Long |
| 5 George Emory | 16 John Landis |
| 6 C. C. Clayton | 17 Saml. Wolfkill |
| 7 Stephen Harshbarger | 18 F. A. Landis |
| 8 Joseph Ronk | 19 H. H. Miller |
| 9 John Rhinehart | 20 Abraham Kauffman |
| 10 Isaac Long | 21 Chas. Bratton, sen. |
| 11 Samuel Russell | 22 Jesse Miller |

23 John Moist	79 Joseph Botticher
24 Saml. Silks	80 Alfred Wilson
25 Henry Klippert	81 George Miller
26 James Whitezell	82 George Silks
27 John Ronk	83 Jonathan K. Miller
28 Frederick Satzler	84 N. B. Reninger
29 Isaac Walls	85 Abram Grassmyer
30 John French	86 Wm. Miller
31 Andrew French	87 Christian Moist
32 Moses Moist	88 James Wooping
33 C. K. Moist	89 Aaron Moist
34 J. J. Butler	90 Joseph Harshbarger
35 Isaac Harshbarger	91 Lewis Casey
36 Joseph Winter	92 Wm. Yoder
37 Wm. B. Bratton	93 Jonas Harshbarger
38 Isaac Kauffman	94 Jonathan Kauffman
39 Wm. Ross, sen.	95 John Wolfkill
40 Thomas Piles	96 Jonas Yoder
41 H. H. Kauffman	97 Jared Kauffman
42 Emory Kauffman	98 Saml. Wilson
43 S. G. Rupert	99 Levi Hartzler
44 Joseph McCormick	100 Henry K. Harshbarger
45 John M. Kauffman	101 N. A. Bratton
46 Henry Kauffman	102 Geo. Dull
47 Elias Stanor	103 S. S. Machamer
48 Wm. Glenruz	104 Joseph Kauffman
49 Sames L. Settle	105 Henry Reninger
50 C. S. Mitchell	106 John Watt, sr.
51 David H. Miller	107 J. S. Leffard
52 Wm. Lewis	108 G. W. Kauffman
53 Enoch Kastine	109 Chas. Bratton, jr.
54 Wm. Ross, jr.	110 Thos. McCord, sr.
55 Benjamin Davis	111 Joshua Yoder
56 R. M. Gilmore	112 Joel Moist
57 Jacob Miller	113 James Banks
58 Eli Winter	114 Jacob Miller (on age)
59 John Satzler	115 John Youtzey (on age)
60 Wm. Atkinson	116 James Watt (on age)
61 David McKinstry	117 Isaac Miller
62 Wm. C. Stubbs	118 Michael Greenawalt
63 Abraham Moist	119 Wm. Shearer
64 James Renniger	120 Wm. Youtzey (on age)
65 Adam Hartzler	121 Henry Botticher
66 James McCormick	122 Nicholas Miller
67 James D. Walls	123 Abram Moist
68 Christian Miller	124 Philip Moist
69 Shem Zook	125 Samuel Watts
70 Jonathan Botticher	126 Thomas McCord
71 John Yoder	127 Geo. Botticher
72 John Cummer	128 D. D. Morrow
73 John Reninger	129 Alexander Trimble
74 Wm. Harshbarger	130 B. J. Miller
75 Wm. Shearer, sr.	131 Joshua Harshbarger
76 Levi Kauffmann	132 S. A. Rothrock
77 J. J. Harshbarger	133 Jacob Harshbarger
78 Solomon Kauffman	134 James D. Beatty

135 Jos. W. Botticher	154 D. H. Harshbarger
136 Harvey Campbell	155 Jacob Miller
137 M. Wakefield	156 A. W. Correll
138 Isaac Botticher	157 John Hesser
139 Joseph Miller	158 Lewis Hesser
140 Joseph Miller	159 Michael McLaughlin
141 John Grassmyer	160 Daniel M. Hiester
142 Philip Ronk	161 Henry Miller (on age)
143 Daniel Rodgers	162 Samuel Hoffman
144 Wm. Grier	163 Cyrus Shearer
145 Jas. Grassmyer	164 John Brindle
146 John Fike	165 Joseph Rininger
147 Henry Grassmyer	166 W. H. Fike
148 Peter Greer	167 John H. Whitebeard
149 Wm. Russell	168 John Graham
150 J. A. Kauffman	169 Moses Miller
151 Jno. A. Miller	170 Jno. B. Harshbarger
152 Louis Reninger	171 David Harshbarger
153 V. Rothrock	

Return made and filed November 6, 1878, at 12 o'clock m.

Copy of that part of the return sheet of Bratton Township, Mifflin County, Pennsylvania, filed November 6, 1878, relating to the vote cast for Andrew G. Curtin and Seth H. Yocum.

CONGRESS.

Seth H. Yocum had seventy-one votes (71).

Andrew G. Curtin had ninety-seven votes (97).

STATE OF PENNSYLVANIA,
County of Mifflin, ss :

I, Wm. S. Settle, prothonotary of, in, and for said county and State, hereby certify that the above and foregoing is a full, true, and correct copy of the oaths of election officers, list of voters, and of that part of the return sheet as relates to the vote for Congress of Bratton Township, Mifflin County, Pennsylvania, as full and entire as the same remains on record in the aforesaid court.

In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., this 12th day of March, A. D. 1879.

[SEAL.]

WM. S. SETTLE,
Prothonotary.

E. C (4).

Wayne.

JUDGE'S OATH.

I, David Stine, jr., do swear that I will, as judge, duly attend to the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such elec-

tion, without requiring such evidence of the right to vote as is directed by law; and that I will use my endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

DAVID STINE, JR.

Sworn and subscribed to before me this 5 day of November, 1878.

INSPECTOR'S OATH.

I, James L. Postlewait, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JAMES L. POSTLETHWAIT.

Sworn and subscribed to before me this 5 day of November, 1878.

INSPECTOR'S OATH.

I, George Buckley, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

GEORGE BUCKLEY.

Sworn and subscribed to before me this 5th day of November, 1878.

CLERK'S OATH.

I, B. F. Shade, do affirm that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not

directly or indirectly interested in any bet or wager on the result of this election.

B. F. SHADE.

Sworn and subscribed to before me this 5th day of November, 1878.

CLERK'S OATH.

I, A. E. Linn, do affirm that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

A. E. LINN.

Sworn and subscribed to before me this 5th day of November, 1878.

List of voters at a general election held in Newton Hamilton, for the district of Wayne, of Mifflin County, Pa., on Tuesday, the 5th of November, 1878.

- | | |
|------------------------|----------------------------|
| 1 Samuel Shire, jr. | 32 John Rutherford |
| 2 David Moist | 33 James Mathews |
| 3 Wm. Moist | 34 John D. Casner |
| 4 David H. B. Hoover | 35 Peter Rickard |
| 5 John Culbertson | 36 George W. Bowersox |
| 6 J. F. McNear | 37 Cyrus Cramer |
| 7 Frederic Smelker | 38 George Rutherford |
| 8 Wm. Pecht | 39 Noah Warfield |
| 9 Wm. Lukens (illegal) | 40 B. F. Shade |
| 10 Joseph Taylor | 41 John Kyle |
| 11 Castor Taylor (age) | 42 Jesse Mathews |
| 12 Smith, John | 43 T. J. Emery |
| 13 Jacob Foust | 44 Thomas McKinstry |
| 14 Christopher Fields | 45 James Powell |
| 15 John Tweed | 46 James Ewing |
| 16 John L. Sunderland | 47 Norton, Jacob |
| 17 John Clemens | 48 George Buckley |
| 18 B. F. Strauser | 49 Joseph McKinstry |
| 19 Solomon H. Clemens | 50 James L. Postlethwaite |
| 20 Samuel Sunderland | 51 Henry Fleming |
| 21 Clemens, Peter | 52 James A. Dysart |
| 22 John R. Kauffman | 53 Elijah Morrison |
| 23 Daniel Harshbarger | 54 William Aurand |
| 24 Joseph Harshbarger | 55 Christo, Cornelius |
| 25 W. I. Vanzant | 56 John McKinstry |
| 26 A. E. Linn | 57 James C. Dysart |
| 27 Hugh Laird | 58 Wm. Fields |
| 28 T. F. Rusler | 59 Samuel D. Postlethwaite |
| 29 Wm. M. Knepp (age) | 60 James Price |
| 30 John M. McLaughlin | 61 J. F. Calwell |
| 31 John D. Miller | 62 G. C. Henderson |

- | | |
|---------------------------|-------------------------|
| 63 Franklin Drake | 119 Frederic Kiefhaber |
| 64 David Rhodes | 120 Oliver Ginifin |
| 65 John M. Rhodes | 121 John Kiner |
| 66 George Foster | 122 N. A. Stine |
| 67 Samuel Shire | 123 Jonathan McDowell |
| 68 John Glasgow | 124 Jacob Casner |
| 69 John W. Hinds | 125 James Wilson, jr. |
| 70 Wm. A. Postlethwaite | 126 John Wilson |
| 71 John W. Kyle | 127 Sterrett Wharton |
| 72 Car Wharton | 128 Edward Cassady. |
| 73 Harvey, Samuel | 129 Henry Graham |
| 74 Wm. W. Pecht | 130 M. B. Powell |
| 75 David Hiester | 131 John Chilcoat |
| 76 David Norton | 132 James Rosenborough |
| 77 Elias Wheitzel | 133 A. Elwood Goodman |
| 78 Jacob Harshbarger | 134 Jacob S. Shade |
| 79 Samuel Heister | 135 James Norton |
| 80 Wm. Stine | 136 Wm. Pressler |
| 81 Milton Stine | 137 H. I. Johnston |
| 82 Charles A. Daniels | 138 Jacob S. Miller |
| 83 David Stine | 139 Isaiah Graham |
| 84 Wm. Davidson | 140 John McCarthy |
| 85 Levi Rhodes | 141 George Wharton |
| 86 Samuel T. Rhodes (age) | 142 Rufus McCarthy |
| 87 David Stine, jr. | 143 Samuel Miller |
| 88 Jenkins, David | 144 David Miller |
| 89 Jordan A. Rhodes | 145 George A. Fields |
| 90 Andrew Furgison | 146 A. Jackson Sayers |
| 91 Bulsar Chilcoat | 147 George Spickler |
| 92 Samuel W. Biarby | 148 Henry Forgy |
| 93 Robert Beaty | 149 George Cowden |
| 94 Wm. Wilson | 150 Elisha Fields |
| 95 Shade, Samuel | 151 M. V. B. Norton |
| 96 David Forgy | 152 Joseph Fields |
| 97 Porter R. Laughlin | 153 W. F. Bratton |
| 98 Lewis Barnett | 154 Wm. McKindrie |
| 99 Jessie Saylor | 155 John Saylor |
| 100 David Withrow | 156 Samuel Rutherford |
| 101 John Sechrist | 157 James Davis (age) |
| 102 Jacob Guerry | 158 Wm. A. Kann |
| 103 Philip Shade | 159 David Walls |
| 104 John Gilliland | 160 John Jenkins |
| 105 Leonard Swisher | 161 David Casady |
| 106 Alex. Barbon | 162 George Smith |
| 107 Wm. Landis | 163 George Postlethwait |
| 108 Washington Coulter | 164 Frederic Smith |
| 109 James Johnston | 165 Martin Musser |
| 110 Emanuel Hughes | 166 Michael Ackley |
| 111 Joseph Shade | 167 Thomas Sunderland |
| 112 Vincent Rutherford | 168 James Clymens |
| 113 Mathew Rutherford | 169 Henry Burlew |
| 114 James Wilson | 170 John E. Smucker |
| 115 Alex. Cummings | 171 Jonathan Hazlett |
| 116 J. D. Saylor | 172 Wm. Shade |
| 117 M. P. Withrow | 173 George Clemens |
| 118 Andrew Kiner | 174 Amos Smucker |

175 Gustus McCallion	200 Emery Penepacker
176 H. P. Hughs	201 Harry Snowden
177 James W. McCarthy	202 Wm. T. Cochran
178 B. F. Miller	203 George L. Fields
179 John Bardine	204 T. B. Smelker
180 James M. Heister	205 T. G. M. Hicks
181 N. A. Postlethwait	206 Bur Bridge Forner
182 Samuel Murfin	207 George W. Strunk
183 John R. McVey	208 Albert Hazlett
184 John Cramer	209 John Cornelius, jr.
185 Wm. Ramsey	210 Wm. H. Sunderland
186 George Derr	211 Morris Shaffer
187 John Gaff, jr.	212 Samuel Forner
188 James Daniels	213 George W. Earnest
189 Thomas Cochran	214 Charles McCormick
190 Wm. D. Heister	215 Martin Wheitzel
191 John P. Campbell	216 Samuel Baker
192 Porter L. Postlethwait	217 Wm. Hains
193 John Hyle	218 J. W. Shaver
194 John Gilliland	219 Absolem Walls
195 John Leonard	220 Samuel H. Taylor
196 Robert Kerr	221 David Harshbarger
197 T. B. Walton	222 Emery Saylor
198 John Kerr	223 Jacob Lanver
299 William Sayers	224 Samuel Hawlk.

Return made and filed November 8th, 1878, at eleven o'clock and fifteen minutes a. m.

Copy of return sheet of Wayne Township, Mifflin County, Pa., as filed in the prothonotary's office of said county November 8, 1878, as relates to the vote of Andrew G. Curtin and Seth H. Yocum.

Andrew G. Curtin had one hundred and twenty-seven votes (127).
Seth Yocum had ninety-four votes (94).

STATE OF PENNSYLVANIA,
County of Mifflin, ss:

I, Wm. S. Settle, prothonotary of, in, and for said county and State, hereby certify that the above and foregoing is a true, full, and correct copy of the oaths of election officers, list of voters, and of that part of the return sheet wherein is contained the vote for Andrew G. Curtin and Seth Yocum, of Wayne Township, Mifflin County, Pa., as full and entire as the same were filed and remain of record in the aforesaid court.

In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., this 12th day of March, A. D. 1879.

[SEAL.]

WM. S. SETTLE,
Prothonotary.

E. C (5).

Granville.

JUDGE'S OATH.

I, Samuel Lyter, do swear that I will, as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the

inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my endeavors to prevent any fraud deceit, or abuse in carrying on the same, by citizens qualified to vote or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

SYL. BROUGHT.

Sworn and subscribed to before me this 5th day of Nov., 1878.

INSPECTOR'S OATH.

I, Levi Felker, do swear that I will duly attend to the ensuing election during the continuance thereof as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this 5th day of November, 1878.
SAMUEL LYTER.

INSPECTOR'S OATH.

I, Sylvester Brought, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially and faithfully perform my duty therein to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this — day of —, 187—.
SAMUEL LYTER.

CLERK'S OATH.

I, John Cavanaugh, do affirm that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors

thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this 5th day of November, 1878.
SAMUEL LYTER.

CLERK'S OATH.

I, Daniel Hoops, do affirm that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this 5th day of November, 1878.
SAMUEL LYTER.

Names of voters of Granville Township.

- | | |
|----------------------|-----------------------|
| 1 Sylvester Brought | 32 Alvin Shimp |
| 2 Samuel Lyter | 33 George Copendaffer |
| 3 John W. Arnold | 34 H. R. Price |
| 4 John H. Emory | 35 John A. McCord |
| 5 S. C. Brought | 36 Thomas Snook |
| 6 Wm. Keigle | 37 Charles Hurto |
| 7 Samuel Steeley | 38 John Cupples |
| 8 Francis C. McGirk | 39 Wm. Snook |
| 9 Joseph Hayes | 40 James McCormick |
| 10 Michael Messerman | 41 John Snyder |
| 11 A. C. Mayes | 42 Charles Shoemaker |
| 12 Thomas Armstrong | 43 Jacob Rarick |
| 13 John Forsythe | 44 John Kays |
| 14 Wm. S. Keigle | 45 Sohn Lyter |
| 15 John Lilley | 46 Samuel Nipple |
| 16 David Hough | 47 Thomas Brought |
| 17 Charlie McKinney | 48 Wm. Zimmerman |
| 18 Albert Burns | 49 Moses Kreps |
| 19 George Stelser | 50 John Chapel |
| 20 John P. Arnold | 51 James Kreps |
| 21 Wm. G. Smith | 52 James Anderson |
| 22 John H. Brlunon | 53 Wm. Mathews |
| 23 Wm. Foy | 54 Wm. Cossel |
| 24 Joseph Snyder | 55 Wm. I. Morrison |
| 25 Frank P. Ulsh | 56 Wm. H. Smith |
| 26 James Car | 57 Felix Smoker |
| 27 James Bucan | 58 Saml. P. Kinnison |
| 28 David H. Kreps | 59 Albert Leopold |
| 29 Wm. Miller | 60 Saml. S. Strong |
| 30 G. W. Myers | 61 Jacob Potter |
| 31 Henry Snyder | 62 Blake Owens |

- | | |
|--------------------------|---------------------------|
| 63 Millard Owens | 119 John Mitchell, jun. |
| 64 D. M. Cargill | 120 Sam'l Freed |
| 65 Sam'l Wilson | 121 Alex. Black (col.) |
| 66 David Corbin | 122 Rob't Cupples |
| 67 George Brown | 123 James Sheppard |
| 68 James I. Brought | 124 Jacob Rittenhouse |
| 69 George McKee | 125 Joseph Stelser |
| 70 Robert Adams | 126 John Cherry |
| 71 Arnor Mowry | 127 John Bear |
| 72 Andrew McKee | 128 Jacob Bear |
| 73 Henry G. Martin | 129 Wm. Green |
| 74 S. J. Miller | 130 Frank McCoy |
| 75 Wm. J. Kreps | 131 Daniel W. Hoopes |
| 76 Daniel Myers | 132 Levy Felker |
| 77 Wm. Cargill, sen. | 133 Howard Lewis |
| 78 Anthony Ewing | 134 Jackson Miller |
| 79 Leonard Messerman | 135 Wm. A. Stine |
| 80 Isaac Lewis | 136 Saml. Freed, jun. |
| 81 James McGirk | 137 Joseph H. Rittenhouse |
| 82 David Esterline | 138 A. J. Wagner |
| 83 Strove McKee | 139 S. F. Ensloe |
| 84 Samuel Smith | 140 Joseph Mowry |
| 85 Joseph Owens | 141 Henry Engle |
| 86 Joseph Brought | 142 J. R. Muthersbough |
| 87 George Strode | 143 Wm. Kreps |
| 88 Morgan Comfort | 144 George W. Haines |
| 89 Daniel Brought | 145 Thomas Phillips |
| 90 Joseph Cargill | 146 James Woodrow |
| 91 James Shahan | 147 David Fitzgerald |
| 92 Andrew Shahan | 148 Russell Kintzer |
| 93 Isaac Zimmerman | 149 Wm. H. Bingaman |
| 94 R. Wilson McKee | 150 A. S. McKee |
| 95 J. J. Keiss | 151 Harvey McKee |
| 96 S. E. Penepacker | 152 James Eckabarger |
| 97 Wm. J. Cargill | 153 Absalom Wagner |
| 98 John Strunk | 154 John Singer |
| 99 Michael Stelser | 155 George Carney |
| 100 Harry M. Vanzandt | 156 Thomas Collins |
| 101 William Caldwell | 157 John H. Brought |
| 102 George Caldwell | 158 Geo. W. Sellers |
| 103 Joseph Spriggle | 159 Jacob Brehman |
| 104 A. H. Shimp | 160 Persifer F. Smith |
| 105 Martin Ort | 161 Joseph Smith |
| 106 John Mitchell | 162 Aaron Engel |
| 107 John A. Shoemaker | 163 W. L. Owens |
| 108 David Mitchell | 164 Wm. Shilling |
| 109 David Y. Comfort | 165 Owen Owens |
| 110 Henry Salick | 166 George Aurand |
| 111 A. C. Strode | 167 John Brought |
| 112 Philip Pepper | 168 Henry T. Armstrong |
| 113 Eustic Rothrock | 169 Aaron Ruble |
| 114 Sam'l Rittenhouse | 170 John Miller |
| 115 Jacob E. Rittenhouse | 171 Wm. T. Shimp |
| 116 C. C. Morrison | 172 Jeremiah Price |
| 117 Wm. McCoy | 173 Thomas Troy |
| 118 Sam'l McCoy | 174 John Arbogast |

175 Michael Peters	228 Joseph Forsythe
176 James Shilling	229 Samuel Myers
177 George K. Potter	230 Saml. McColm
178 Jacob S. Steeley	231 Wm. Sherwood
179 George Settle	232 W. G. C. Minehart
180 Solomon Nepp	233 John Cavanaugh
181 Rudolph Kline	234 George Shively
182 Harry Brought	235 John Esworthy
183 Charlie Miller	236 Andy Foy
184 A. M. Plummer	237 Wm. Kearns
185 Albert R. Strunk	238 Martin Price
186 Simpson A. Crum	239 T. D. Brackbill
187 James Shannon	240 Scott Caldwell
188 Samuel Guyst	241 Saml. Clinepeter
189 Thomas More	242 Wm. Shannon
190 John More	243 Martin Mitchell
191 Wm. R. Lilley	244 Wm. Wathen
192 James Moore	245 J. K. Notestine
193 Albert Saxton	246 Thomas Cnunell
194 John C. Swigart	247 Thomas Shimp
195 Isaac Price	248 Joseph Shefler
196 Levi Knepp	249 James Bowman
197 Jacob Showalter	250 James D. Heck
198 Joseph Ulsh	251 K. S. Shaw
199 Noah Mumper	252 J. C. Barclay
200 Moses Rothrock	253 M. D. Brown
201 Henry Ruble	254 John Mooney
202 David F. Olinger	255 Frank Zimmerman
203 Augustus Riden	256 A. W. Caldwell
204 W. S. McKee	257 Jos. Hummelsbough
205 Charles Shugart	258 Wm. Stahl
206 George Singer	259 Chas. Stahl
207 David Hough, jun.	260 Henry Stahl
208 John Snyder	261 Jacob A. Ort
209 Wm. Price	262 J. E. Ralph
210 David Rosenberg	263 Charles Swain
211 Nathan Zimmerman	264 H. C. Walker
212 Jacob Smoker	265 Andy Keller
213 Daniel Hartley	266 Alfred Allen
214 George Allen	267 Charles Wheeler
215 John Ulsh	268 Jacob Esterline
216 James Ryan	269 John Crawford
217 Levi Brower	270 George Kreps
218 Frank Armon	271 Abram Saxton
219 Daniel M. Landis	272 Alexandria Wagner
220 Israel Moyer	273 S. S. Brown
221 Wilson Wentle	274 M. F. Enslow
222 Benj. Brower	275 James Goodwin
223 John Brower	276 Michael Lyter
224 Henry Brower	277 Henry Downy
225 Jacob Brower	278 Howard Patton
226 Harrison Aurand	279 Joseph Miller
227 Isaac Aurand	

Return made and filed November 6, 1878, at 2 o'clock a. m.

Copy of that part of the return-sheet of Granville Township, Mifflin County, Pennsylvania, filed November 6, 1878, relating to the vote cast for Andrew G. Curtin and Seth H. Yocum.

FOR CONGRESS.

Andrew G. Curtin had one hundred and fifty-nine votes (159).
Seth H. Yocum had one hundred and sixteen votes (116).

STATE OF PENNSYLVANIA,
County of Mifflin, ss:

I, William S. Settle, prothonotary of, in, and for said county and State, hereby certify that the above and foregoing is a full, true, and correct copy of the oaths of election-officers, list of voters, and of that part of the return-sheet as relates to the vote for Congress of Granville Township, Mifflin County, Pennsylvania, as full and entire as the same remains of record in the aforesaid court.

In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., this 12th day of March, A. D. 1879.

[SEAL.]

WM. S. SETTLE,
Prothonotary.

E. C (6).

Oliver.

JUDGE'S OATH.

I, John F. Stine, do swear that I will as judge duly attend to the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will use my endeavors to prevent any fraud, deceit, or abuse, in carrying on the same, by citizens qualified to vote, or others, and that I will make a true and perfect return of said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this — day of November, 1878.

M. F. H. KINSEL,
Minority Inspector.

INSPECTOR'S OATH.

I, M. F. H. Kinsel, do affirm that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall

believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this — day of November, 1878.
JOHN F. STINE, *Judge*.

INSPECTOR'S OATH.

I, Josiah W. Snook, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector, and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this — day of November, 1878.
JOHN F. STINE, *Judge*.

CLERK'S OATH.

I, Adam Leffard, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this 5th day of —, 1878.
JOHN F. STINE, *Judge*.

CLERK'S OATH.

I, Michael C. Bratton, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election.

Sworn and subscribed to before me this 5th day of November, 1878.
JOHN F. STINE, *Judge*.

List of votes of Oliver Township, Mifflin County, at election held November 5, 1878.

- | | |
|---------------------------|----------------------------|
| 1 John Bortle | 54 Albert Horning |
| 2 Wm. J. Bear (age) | 55 Wm. A. Rhodes (tax) |
| 3 M. F. H. Kinsel | 56 W. M. Knepp |
| 4 J. A. Sunderland (age) | 57 J. J. Brenisholdt |
| 5 John F. Stine | 58 Wm. A. Cutman |
| 6 Adam Leffard | 59 John Ruble |
| 7 Josiah Snook | 60 Jacob R. Stine |
| 8 Mason White | 61 Aaron Valentine |
| 9 C. H. Peltz (tax) | 62 Anthony Myers |
| 10 M. S. Stayner | 63 William Landis |
| 11 John Konch | 64 John McCormick, jr. |
| 12 Vance Aurand | 65 Jeremiah Rickabaugh |
| 13 Thomas Nichols | 66 Daniel Snook |
| 14 Alexander Anderson | 67 John Styninger |
| 15 Edward Moore | 68 Solomon Barr |
| 16 Thos. Freed | 69 Elder Hockenberry (age) |
| 17 John Aurand | 70 Cyrus Stine |
| 18 John Breneman | 71 Wm. E. Jarvis |
| 19 John Marsden | 72 Cyrus Bolinger |
| 20 Jos. K. Bratton | 73 Levi Zook |
| 21 James Bartol | 74 J. K. Hartzler |
| 22 George Cox (tax) | 75 Elliott Rhodes |
| 23 George W. Bolinger | 76 John Settle |
| 24 Nicholas Brehman (tax) | 77 H. S. Price |
| 25 James Stephens | 78 Isaac Bolinger (tax) |
| 26 David Brehman | 79 James A. Harris |
| 27 John C. Aultz | 80 Peter Rush |
| 28 Michael Aultz | 81 George Rush (age) |
| 29 Wm. A. Moore, jr. | 82 James Norris |
| 30 Joseph Hardishell | 83 David Norris (age) |
| 31 Oliver Dunmire | 84 David Shehan (tax) |
| 32 Joseph Wilson (tax) | 85 John Shehan (tax) |
| 33 John S. Oliver | 86 Mortimer Whitworth |
| 34 James Rhodes | 87 Hamilton Kauffman |
| 35 Frank McCord (age) | 88 John P. Rounk |
| 36 G. H. Knepp | 89 George Wakefield |
| 37 Orman Whitworth | 90 Moses Shively |
| 38 Elias Dixon | 91 Robert McCormick |
| 39 Miller Gross | 92 Peter Ream |
| 40 J. S. Miller | 93 Adam Ream |
| 41 W. Brininger | 94 James E. Stine |
| 42 John Boas | 95 David R. Stine |
| 43 Jacob Bolinger | 96 Thomas Pearson |
| 44 Isaac Walls | 97 Wm. Pearson |
| 45 Robert Rosenbery | 98 Solomon Bolinger |
| 46 John Green | 99 G. W. Ruble |
| 47 Adolphus Ward | 100 Jos. Strode |
| 48 W. H. Erwin | 101 John A. Stine |
| 49 W. Wharton | 102 Robt. Forgy, jr. |
| 50 John Kinser | 103 Huston McCormick |
| 51 W. R. Bratton | 104 Robert Forgy |
| 52 Porter Caster | 105 A. A. Strode |
| 53 John McCormick | 106 Henry Mathews |

107 Wm. Wilson	160 S. B. Stine
108 Saml. W. Stine	161 Emanuel Byler
109 Frederick Hesser	162 J. B. Garver
110 James Foust	163 M. M. Ruble
111 Howard Settle	164 David Mathews
112 R. T. Myers	165 J. A. Kinsel
113 M. C. Bratton	166 Jacob H. Bylee
114 Jos. Clinger	167 George M. Stine
115 Benj. Gill	168 John C. Shehan
116 W. C. Gill (age)	169 J. H. Allen
117 Isaac Maubeck	170 Benj. Green
118 John Cornelius	171 Gideon Harshbarger
119 Joseph Rhodes	172 F. M. Kimerly
120 Jos. M. Allen	173 L. A. Dunmire
121 J. C. Brehman	174 Wm. Fitler (age)
122 John Walls	175 James McGill (tax)
123 Jos. Elliott	176 Samuel Youtzey
124 James C. Stuart	177 R. E. Bratton
125 John L. Aurand	178 Ames Naffzinger
126 Gabriel Garver	179 J. J. Kauffman
127 John Garver	180 Philo Kiser
128 Samuel Gearhart	181 Casper Beaty
129 Gabriel Dunmire	182 George Underwood
130 Joseph Dunmire	183 James Hill
131 James Hambright	184 H. S. Swigart
132 Moses Gillespie	185 Lottus Metz
133 Henry D. Snook	186 J. Q. Kinsel
134 Henry Swigart	187 John Kiser
135 Daniel Decker	188 S. C. Myers
136 Daniel Cutman	189 Austin Gro
137 Jonathan Yoder	190 G. C. Rupert
138 A. J. Kimerly	191 Eli Aurand
139 J. L. Miller	192 G. N. Brumbaugh
140 Emery Wilson	193 Ezra Jenkins
141 Geo. S. Kimerly	194 J. S. Knepp
142 John A. Rush	195 P. A. Murphy
143 Geo. S. Ruble	196 Frank. P. Forgry
144 John Carpenter	197 Wm. Otto
145 Abram Breneman	198 Jacob Wilson
146 Wm. Mertz	199 George Hanarvalt
147 A. F. Rush	200 Thomas Beatty
148 Levi Swigart	201 E. W. Jones
149 Jacob Knepp	202 J. N. Withrow
150 John Rothrock	203 John Walls
151 A. R. Swigart	204 J. H. Dunmire
152 G. S. Rhodes	205 D. W. Hesser
153 Benjamin Yeatler	206 George Landis
154 Solomon Kauffman	207 James Williams
155 George Martin	208 Wm. Gearhart
156 Henry Wilson	209 S. J. Gearhart
157 Charles Wyble	210 John Otto
158 J. K. Rhodes	211 Eli Stutzman
159 Joseph Goss	

Return made and filed November 7, 1878, at 11 o'clock a. m.

Copy of return sheet of Oliver Township, Mifflin County, Pennsylvania as filed in the prothonotary's office of said county November 7, 1878, as relate to the vote of Andrew G. Curtin and Seth H. Yocum.

FOR CONGRESS.

Andrew G. Curtin had one hundred and fourteen votes (114).
Seth H. Yocum had ninety votes (90).

STATE OF PENNSYLVANIA,
County of Mifflin, ss :

I, William S. Settle, prothonotary of, in and for said county and State, hereby certify that the above and foregoing is a true, full, and correct copy of the oaths of election officers, list of voters, and of that part of the return sheet wherein is contained the vote for Andrew G. Curtin and Seth H. Yocum of Oliver Township, Mifflin County, Pennsylvania, as full and entire as the same were filed and remain of record in the afore-said court.

In testimony whereof I have hereunto set my hand and affixed the seal of our said court at Lewistown, Pa., this 12th day of March, A. D. 1879.

[SEAL.]

WM. S. SETTLE,
Prothonotary.

E. C (7).

Menno.

Judge's oath.

I, John W. Bradley, do swear that I will, as judge, duly attend to the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others; and that I will make a true and perfect return of the said election, and will in all things truly, impartially, and faithfully perform my duty respecting the same to the best of my judgment and abilities; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JOHN W. BRADLEY.

Sworn and subscribed to before me this 5th day of November, 1878.

JOHN A. FULTZ.

Inspector's oath.

I, John A. Fultz, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly believe to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall

believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JOHN A. FULTZ.

Sworn and subscribed to before me this 5th day of November, 1878.

JOHN W. BRADLEY.

Inspector's oath.

I, Jacob S. Headings, do swear that I will duly attend to the ensuing election during the continuance thereof, as an inspector; and that I will not receive any ticket or vote from any person other than such as I firmly to be, according to the provisions of the constitution and laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid; but that I will in all things truly, impartially, and faithfully perform my duty therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

JACOB S. HEADINGS.

Sworn and subscribed to before me this 5th day of November, 1878.

JOHN W. BRADLEY.

Clerk's oath.

I, W. H. Glass, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge; and also the name of the township, ward, or district wherein such elector resides; and carefully and truly write down the number of votes that shall be given for each candidate at the election, as often as his name shall be read to me by the inspectors thereof; and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

W. H. GLASS.

Sworn and subscribed to before me this 5th day of November, 1878.

JOHN W. BRADLEY.

Clerk's oath.

I, F. E. Barr, do swear that I will impartially and truly write down the name of each elector who shall vote at the ensuing election, which shall be given me in charge; and also the name of the township, ward, or district wherein such elector resides; and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to be by the inspectors thereof; and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election.

F. E. BARR.

Sworn and subscribed to before me this 5th day of November, 1878.

JOHN W. BRADLEY.

Triplicate election return.

We, the undersigned, elected and sworn, according to law, inspectors and judge of the election held on the fifth day of November, 1878, at the house of Mary Wheaton, in the election district of Menno, Mifflin County, Penna., do certify that upon closing the polls and counting the votes it appeared that for—

Governor:

Henry M. Hoyt had one hundred and twenty-three votes (123).

Andrew H. Dill had one hundred and five votes (105).

Lieut. governor:

Charles W. Stone had one hundred and twenty-one votes (121).

John Fertig had one hundred and seven votes (107).

Sec. internal affairs:

Aaron K. Dunkle had one hundred and eleven votes (111).

J. Simpson Africa had one hundred and seventeen votes (117).

Judge supreme court:

James P. Sterrett had one hundred and twenty votes (120).

Henry P. Ross had one hundred and six votes (106).

Congress:

Seth H. Yocum had one hundred and nineteen votes (119).

Andrew G. Curtin had one hundred and nine votes (109).

Assembly:

J. Henderson Maclay had one hundred and twenty-two votes (122).

John M. Shadde had one hundred and six votes (106).

Sheriff:

David Muthersbough had eighty-nine votes (89).

George Buffington had one hundred and thirty-eight votes (138).

Coroner:

Alfred T. Hamilton had one hundred and twenty-two votes (122).

Wm. K. Clarke had one hundred and six votes (106).

Treasurer:

Joseph A. Fichthorn had ninety-nine votes (99).

Samuel Killian had one hundred and twenty-eight votes (128).

Commissioners:

Charles Bratton, jr., had one hundred and ten votes (110).

John Henry had one hundred and twenty-six votes (126).

Robt. J. McNitt had one hundred and nineteen votes (119).

Robt. F. Cupples had ninety-two votes (92).

Dir. of the poor:

Wm. Foy had ninety-nine votes (99).

Saml. Mitchell had one hundred and twenty-nine votes (129).

Auditors:

Peter Barefoot had one hundred and twenty-one votes (121).

Reuben T. Myers had one hundred and twenty-one votes (121).

George H. Swigart had one hundred and seven votes (107).

John Barr had one hundred and seven (107).

Sheep Law had thirty-four votes (34).

Against had one hundred and eleven votes (111).

Brannon, Wm.	Fear, Wallace	High, Henry
Brannon, Thos.	Frysinger, George	Hamaker, Wilson
Bruce, Geo., sr. (col.)	Frysinger, Geo. R.	Irwin, Wm.
Bruce, Geo., jr. (col.)	Frysinger, Edward	Jenkins, John
Blanchard, James	Fultz, Joseph	Jones, W. Reed
Brannon, Sylvester	Fichthorn, J. A.	Jackson, Rob't
Briner, Chas.	Fichthorn, W. A.	Jackson, James
Bannon, Wm.	Fink, John A.	Jackson, Jerry (col.)
Brooks, H. C.	Forsyth, John	Jacobs, Shaffer
Brimer, Wm.	Fagen, Harry	Johnson, Wm. (col.)
Bickel, Fred.	Fleming, J.W.	Johnson, Lem.
Burns, Chas.	From, W. S.	Joher, William
Brinninger, Josiah	Garrett, J. S.	Keller, Wm. H.
Calahan, Sam'l	Griffith, J. L. (col.)	Keller, Daniel
Carter, John (col.)	Gill, James	Keller, Wm., jr.
Coplin, Richard	Galbreath, Jas.	Kline, David
Conahy, Will.	Gibson, Robert	Kephart, John
Cooper, Wm.	Gibbe, William	Kuhn, A. J.
Campbell, R. H.	Gibbs, Joseph (col.)	Kauffman, Daniel
Custer, Wm.	Gibbs, Jas. (col.)	Kulp, John
Clum, George	Gibbons, Wm. (col.)	Kissinger, Chas.
Clum, Peter	Gayton, Jas. (col.)	Koch, Lewis
Carpenter, Byron	Grover, John	Klase, Jacob
Comfort, Sam'l	Glant, Jacob	Lukehart, Gotleib
Corder, Joseph	Gross, Rob't	Lowmiller, Thos.
Corbet, Cyrus	Gross, Sam'l	Loudenslager, Peter
Cunningham, Wm.	Glass, Robert	Limes, Lewis
Chambers, J. H.	Grabey, Andrué	Limes, Joseph
Cameron, Thos.	Gochnaur, John	Lakey, David
Calihan, Edw'd	Galliher, John	Litle, Chas.
Comfort, L. M.	Hull, Alfred	Lewis, H. C.
Conk, Jeremiah (col.)	Hull, Samu'l	Lilley, James
Cresswell, David (col.)	Hogle, Gilbert	Limes, Joseph, jr.
Cook, Joshua	Hogle, Benjamin	Miller, Sam'l
Clinger, John	Hawbrick, John	Mowery, John
Dunlap, Thos.	Hawbrick, Jackson	Messenner, Geo.
Dull, Daniel M.	Hess, George	Marks, John
Davis, George	Hess, Sam'l	Marks, Chas.
Davis, George, jr.	Hess, John	Molson, Geo. (col.)
Davis, John	Harris, John (col.)	Molson, Wm. (col.)
Davis, William	Harris, Geo. (col.)	Marks, Worrall
Davidson, David	Hineman, Henry	Marks, C. S.
Dunn, Stace	Hall, Philip	Marks, Sam'l
Dunlap, Aaron	Hall, Wm.	Morrison, Joshua
Elder, Geo. W.	Hall, Jas. P.	Morrison, Wm. B.
Elder, R. C.	Hart, George	Morrison, Jas.
Elder, Rob't	Haws, H. C.	Morrison, Sam'l
Eisenbice, Sam'l	Helman, George	Morrison, Sam'l, jr.
Eager, James	Hoffman, Wm. N.	Morrison, John
Eddy, C. C.	Hawk, Wm.	Morrison, Joseph
Eby, Peter	Herbe, Chas.	Miller, Agust
Ettenire, Alfred	Howard, G. W.	Miller, Constantin
Ettenier, Abram	Houtz, W. H.	Miller, Wm.
Elliott, W. P.	Holland, Wm. (col.)	Miller, Chas.
Ellis, Wm.	Hays, John	Mefford, Abram
Foley, Patrick	Henzey, Wm.	Moreland, John

Marks, Isaiah	Rarrick, Sam'l	Scott, Philip (col.)
Miller, John L.	Reamansnyder, Rev.	Saxon, Wm.
Mabreu, George	Rittenhouse, David	Shoop, A.
Mull, Wm.	Rittenhouse, William	Sherwood, William
Meredith, Walter	Ramer, Philip	Schlifka
Moon, John	Rhodes, J. K.	Trout, Lewis
Mays, William	Rhoads, Jas. (col.)	Trout, Daniel
Mays, James	Rager, John E.	Taylor, E. B.
Myers, Tobias	Reese, Thos.	Thomas, Jas. W.
Myers, Rob't	Reese, Thos., jr.	Thomas, James B.
Moyer, John	Reese, Rose R.	Thomas, Wm.
Marys, Jacob	Reese, Herbert	Thomas, Harry
M'Kinny, G. V.	Rothrock, Zachariah	Thomas, Lewis (col.)
M'Kinny, Joseph	Riden, Rob't	Thompson, M. R.
M'Kinny, Wm.	Roper, Lon. B.	Temple, George
M'Clintick, R. H.	Rhoads, David (col.)	Thompson, John (col.)
M'Clintick, K. H.	Rakerd, James	Ulrich, George
M'Clintick, G. K.	Roger, Joseph	Vanvalzah, Thos. H.
M'Cullouch, Joseph	Rodgers, John	Vanzandt, James
M'Calister, Sam'l	Richardson, Sam'l (col.)	Vincint, Aaron
M'Calister, Wm.	Schellenbury, Chas.	Valentine, John
M'Fadden, Joseph	Smith, Reuben	Webb, C. S.
M'Kee, John	Smith, Frederick	Waream, John
M'Kee, Rob't	Smithers, James	Waream, Joseph
M'Coy, Chas. S.	Stevenson, Jas. (col.)	Wayne, Alex.
M'Clain, Rev. O. O.	Sipe, John	Walters, H. J.
M'Glaughlin, Wm.	Shrinp, John A.	Walters, Chas.
M'Dowell, Alex. (col.)	Shrinp, John	Walters, Edw'd
M'Kim, John (col.)	Schellenbery, Francis	Walters, Henry
M'Kafferty, James	Schellenbury, Henry	Willard, Armstead, (col.)
M'Cullouch, Henry	Spratt, John	Willis, Wm.
Nichols, James	Sherman, John	Wiley, George
Nolte, John M.	Sherman, Conrad	Williams, William
Nighthart, Wm.	Soles, Wm.	Williams, Joseph
Nipple, George	Smith, Theodore	Wentz, Frank
Ort, Peter	Smith, George	Wilson, William
Ort, Luther	Smith, Wm. (col.)	Walters, Grant T.
Orner, John	Steeley, Lawzerus	Wolfkill, Andrué
Palmer, William (col.)	Sailor, John	Woner, George
Palmer, W. Hubbard,	Sherman, Henry	Wilt, Jacob
(col.)	Saxon, Leonard	Wasson, David
Palmer, John (col.)	Sager, Gilbert	Wasson, David, jr.
Palmer, Charles (col.)	Steidle, Jacob	Woods, Isaac
Palmer, Henry	Steidle, Fredrick	Wilt, John
Pecht, Isaac	Steidle, Joseph	Wolf, Frank
Patterson, George	Shull, Abram	Witherow, Sam'l
Peterson, Hobtt (col.)	Swartz, Geo. W.	Wilson, Nathaniel
Pawling, Wm.	Smith, Walker (col.)	Whitoff, Henry
Pawling, Benjamin	Stahl, George	Wrighter, J. H. (col.)
Peters, S. B.	Siers, William	Weldon, James
Quay, Isaac	Shaffer, A. H.	Wiley, George
Rossenbery, James	Shaffer, Ira	Williams, Thos. (col.)
Rodgers, Anthony	Shaw, Wm.	Wallace, Henry (col.)
Reed, Thos. B.	Smith, Harry	Yocum, Sam'l
Rakerd, Geo. B.	Stevens, Cyrus (col.)	Yocum, David G.
Rarrick, Geo. W.	Staly, William	Zeigler, Daniel

MIFFLIN COUNTY,

State of Pennsylvania, ss :

By virtue of the following resolution passed by the commissioners of the county aforesaid on March 14, 1879—

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioners’ office he may demand, relating to the election for Congress for the year 1878, and certify the same under his hand, and affix the seal of the commissioners’ office thereto; said records to be made at the expense of the said Yocum”—

I, John K. Rhodes, clerk of the commissioners for Mifflin County, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of the West ward of Lewistown Borough furnished by me to the officers who held the general election for said ward for Congress and other officers on 5th November, 1878.

In witness whereof, I have hereunto set my hand and affixed the seal of the commissioners’ office of said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,

Clerk County Commissioners.

E. C. (9).

Lewistown, East ward.

Austin, Wm.	Brown, John	Cooper, Sylvester
Albright, John	Bossinger, Fred.	Conner, Eli
Allison, W. W.	Bearly, Wm.	Clark, John, jr.
Allison, Porter	Burket, F.	Clark, Wm.
Allison, J. B.	Brought, Alexander	Coplin, Isaiah
Busha, John	Blymyer, Joseph	Chester, Charles
Belese, Chas.	Bell, J. H.	Chester, Howard
Blymyer, W. P.	Branon, Osman	Clinger, Harvy
Bricker, Laird	Blymyer, Jos. M.	Coplin, W. V. B.
Bearly, Daniel	Banks, Wm.	Carothers, Alfred
Baldwin, Chas.	Bricker, Mitchel	Dunn, William
Byers, Frank	Brower, John	Deweese, John
Brumeman, Christopher	Blymyer, Abram	Dill, John
Billets, Wesley	Blymyer, George, jr.	Dill, John
Brow, George	Bellis, George	Davis, William
Baily, Warren	Blymyer, Chas.	Dalby, Chas.
Burkholder, Clark	Blymyer, W. P.	Duffer, Harrison
Burns, Jas.	Bricker, Laird	Davis, John
Blymyer, Geo., sr.	Bell, Wm.	Dryer, Peter
Branon, Sylvester	Carter, F. R.	Dennis, Zachariah
Brumeman, Jacob	Calahan, Sam'l	Dalby, James
Bochner, E.	Comfort, Nathaniel	Dipple, Henry
Broom, Dixon	Comfort, Lowery	Daniel, Jas. A.
Belford, Sam'l	Comfort, Joseph	Duncanson, Chas.
Berryhill, John	Carpenter, Gabriel	Dumpman, Henry
Bearley, Chas.	Clover, J. H.	Dennis, Chas.
Bearly, Albert	Chester, Nathan	Davis, Jas.
Bearly, James	Culbertson, Horace	Davis, Jno. B.
Bates, George	Chestnut, Sam'l	Dufer, Calvin
Blett, William	Crutchly, James	Dunn, Wm.
Bassforde, W. H.	Caley, Sam'l	Dill, George
Blymyer, A. P.	Chesney, P. C.	Davis, Thomas

Elberty, Laurance
 Evans, John
 Ewing, James
 Eyster, John
 Eyster, George
 Eyster, John
 Everth, J. C.
 Frey, Fort J.
 Fitzgerald, Jerold
 Frysinger, Henry
 Fetzer, George
 Felix, Henry
 Felix, W. H.
 Felix, Anthony
 Forde, W'm
 Frysinger, E.
 Franciscus, F. G.
 Fetzer, W'm
 Florey, George
 Felix, Stephen
 Firvord, James
 Free, George
 Frank, Henry
 Felsbury, E.
 Ferer, Howard
 Fichthorn, John
 Franciscus, J. P.
 Frain, Cha's
 Frank, A.
 Frey, Fort J.
 Greve, David
 Glennen, James
 Gross, Daniel
 Goodhart, James
 Gro, Jno. P.
 Godard, G. W.
 Gardner, Benj.
 Gibson, Sam'l
 Galbreath, Jas.
 Glant, James
 Giffin, Albert
 Grible, Fred.
 Genter, Simon
 Gray, G. T.
 Hoffman, W. H.
 Hetrick, Cornelius
 Haney, Henry
 Hoot, Cha's
 Hoot, W'm
 Hibsman, Tho's
 Hibsman, L. R.
 Hummell, Tho's
 Hamaker, Adam
 Hassinger, Henry
 Heaber, Theo.
 Hemphill, Sam'l

Hoot, Amos
 Hoot, W'm
 Hockey, Rob't
 Hurlbut, C. S.
 Hildebrand, Evan
 Hornby, Geo.
 Houtz, John
 Hort, Jos.
 Harlan, Jacob
 Heller, E. B.
 Hamilton, John
 Hall, W'm
 Hughes, Jos.
 Hamaker, David
 Hoffman, George
 Hoffman, W'm
 Hoffman, John
 Hays, Tho's
 Harkins, W m
 Hunter, Theo.
 Hoffler, John
 Hipple, David
 Jones, Mitchell
 Jacobs, R. U.
 Johnson, W'm
 Jenkins, David
 Junkin, Rob't
 Junkin, Hiram
 Junkin, Jno. A.
 Junkin, Jos. W.
 Jack, James
 Keenan, C. C.
 Koneig, Emaniel
 Kinsley, W'm
 Kreiter, C. W.
 Kirk, W'm
 Kurtz, A. J.
 Koenig, Leopold
 Kinsly, John
 Kittiny, Abram
 Kline, John
 Kline, Frank
 Kitting, John
 Kirk, Franklin
 Kennedy, Nathan
 Kennedy, Josiah
 Knepp, Albert
 Kinsby, J. B.
 Kirk, Frank
 Kurtz, A. J.
 Killiam, Sam'l
 Kennedy, John
 Kirk, W'm
 Lind, Cha's
 Long, A. B.
 Lind, W'm

Loudenslager, Theo.
 Lock, Enoch
 Lyter, Jos.
 Lyter, Jos. S.
 Lindermuth, George
 Little, Edw'd
 Lutzagozell, Adam
 Lytle, Harvy
 Lytle, Cha's
 Lucas, David
 Metzel, P.
 May, W'm
 McFadden, Tho's
 McHenry, W'm, j'r
 Montgomery, W'm
 Mitchell, G. M.
 McClure, Francis
 McClure, J. F.
 McEwen, John S.
 Miller, George
 McCoy, T. F.
 Muthersbaugh, David
 Matten, Daniel
 Matten, Lemuel
 Muthersbaugh, Daniel
 Martin, John
 Montgomery, Rob't
 McCerde, J. W.
 Morrison, Harry
 McKee, J. A.
 Miller, Samuel
 Mays, Tho's
 Morrison, Montgomry
 Mull, W'm
 Miller, B. F.
 Moon, John
 Mitchel, W'm
 McHenry, William
 Murphey, W'm
 Marks, J. I.
 McCreary, John
 May, T. C.
 Miller, Jos.
 Montgomery, Howard
 McCoy, R. Means.
 Montgomery, David
 Martin, Sam'l
 Montgomery, William
 Marks, Uriah
 McCoy, J. R.
 McNight, Howard
 Murray, George
 McKee, W. R.
 McArdle, M.
 Malanaphy, John
 McCauly, Anthony

Matten, W'm B.	Rankin, Adam	Strang, Thos.
Marks, Jos.	Rudisell, N. J.	Shatzer, Thos.
McMullin, Wm.	Rhoads, Saml.	Sholl, Albert
McCabe, Frank	Reed, John S.	Schyler, W. H.
McFadden, Thos.	Robins, Abner	Stewart, Jno. C.
Ninan, William	Riden, Wm. F.	Snyder, George
Ninan, Chas.	Rodgers, Moses	Smith, Jas. W.
Norris, James (col.)	Robeson, D. E.	*Tynpenny, Michal
Nickey, Wm.	Roundtree, Wm.	Todd, John
Notestaie, William	Renn, John	Threkeld,
Nusbaum, William	Rankin, Foster	Threkled, John
Nightsinger, Saml.	Riden, Martin	Trout, W. W.
Nightsinger, Chas.	Ritz, Chas, jr.	Tice, G. M.
Nighthart, Henry	Russell, Wm., jr.	Tice, Daniel
Owens, Jos.	Rudisell, George	Tice, N. C.
Omberger, Obediah	Russell, George	Tice, Wm.
Ort, H. P., jr.	Rarick, Albert	Thompson, J. M.
Orner, Wm.	Robison, James	Tynpenny, James
Orner, John	Rosenbery, Abram	Thomas, Owen, jr.
Porter, A. W.	Rovo, Robt.	True, Chas.
Pawling, B. F.	Snyder, George	True, Thomas
Price, Chas.	Shatzer, Thomas	Thomas, Theopolis
Printz, Chas.	Seitles, Wm.	Thompson, Walter
Patterson, P. C.	Seitles, Thomas	Uttley, Thomas
Patton, Robt.	Schell, Thomas	Vanzandt, Jacob
Porter, W. C.	Sulheimer, Jno. B.	Vanzandt, Hiram
Printz, Peter	Settle, Wm.	Vines, W. C.
Printz, Henry	Shaw, John W.	Vanlier, John
Peters, L. W.	Shaw, Frank	*Trouwcell, Augustus
Peters, G. W.	Shatzer, David	Thrush, W. C.
Pennepacker, Amos	Sprice, John	Woods, D. W.
Peters, Henry	Stratforde, Chas., jr.	Woods, Jos. M.
Printz, Wm.	Sigler, Jno. C.	Woods, Jos.
Printz, Jas.	Soult, Geo. W.	Woods, Isaac
Peters, John C.	Stouffer, Abram	Walter, J. I.
Pratt, David	Sehoch, Allen	Weber, S. B.
Parcells, W. H.	Sponsler, J. W.	Webb, Layfarette
Printz, Albert	Spangler, Peter	Webb, J. M.
Pierce, C. E.	Shatzer, John	Wian, Eph.
Price, John, sr.	Stickney, F. M.	Weber, John
Price, John, jr.	Saxton, John	Wertz, Jos.
Peirce, Wm.	Shatzer, Richard	Walters, Saml.
Printz, Daniel	Stroup, Thos.	Wagener, Wm.
Parker, Jos.	Sides, Henry	Wilt, John
Peters, Conrad	Stouffer, Chas.	Weber, W. B.
Parker, Alvin	Strunk, John	Wileman, W. S.
Platt, W. H.	Strunk, Joseph	Womer, David
Porter, Allison	Shull, C. M.	Woods, S. S.
Pawling, George	Sunderland, John	Weber, D. B.
Pawling, B. F.	Shimp, Chas.	Wimer, J. M.
Robison, J. C.	Sulheimer, Jos.	Woomer, Cash
Ritz, Charles	Seitles, C. B.	Yontzey, Jacob
Russell, Wm.	Seitles, Jos., sr.	Yetter, Lewis
Russell, Robt.	Seitles, Jos., jr.	Zerbe, Chas.
Rook, John	Sulheimer, Wm.	Zerbe, Harry
Reed, Andrue	Sides, Jacob	

STATE OF PENNSYLVANIA,
Mifflin County, ss:

By virtue of the following resolution passed by the commissioners of the county aforesaid on March 14, 1879, viz—

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioners’ office he may demand relating to the election for Congress for the year 1878, and certify the same under his hand, and affix the seal of the commissioners’ office thereto; said records to be made at the expense of said Yocum”—

I, John K. Rhodes, clerk of the commissioners for Mifflin County, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of the East ward, Lewistown Borough, furnished by me to the officers who held the general election for said ward for Congress and other officers on 5th November, 1878.

In witness whereof I have hereunto set my hand and affixed the seal of the commissioners’ office of said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,
Clerk to Commissioners.

E. C (10).

Bratton Township.

Bratton, Chas., jr.	Emory, Wm.	Harshbarger, Joseph J.
Banks, James	French, W. C.	Hesser, Lewis
Bodeicher, Isaac	French, Andrue	Heister, Daniel
Bodeicher, Jonas	French, Wm.	Harshbarger, Stephen
Bratton, N. A.	Fike, Wm.	Hertzler, Levi
Bodeicher, Henry	Fike, John	Himmelsbaugh, Chas.
Bodeicher, Joseph	Fleming, W. J.	Harshbyer, J. B.
Bodeicher, George	Glass, Elias	Huffman, Sam'l
Bratton, Wm. B.	Glenney, William	Hertzler, Adam
Bratton, Chas., sr.	Gray, Thos.	Harshbarger, Joseph
Beatty, Jas. D.	Graham, Elijah	Hertzler, Absalom
Beers, J. A.	Gunter, A. K.	Hershbyer, H. K.
Brindle, John	Greenawalt, Michal	Harshburger, Soloman
Buchanan, John	Grier, Peter	Hauckebury, Samuel
Bodeicher, Jonathan	Grassmyer, Henry	Hesser, John
Brown, Abram	Grier, William	Kauffman, Abram, sr.
Butler, Jefferson	Grassmyer, Abram	Kauffman, Isaac
Clipper, Henry	Gardner, John	Kauffman, Johnathan
Casey, Lewis	Grassmyer, John	Kauffman, Reuben
Clipper, Chas.	Grassmyer, Daniel	Kauffman, Levi
Correll, A. W.	Gilmore, Robt. M.	Kauffman, Jos. H.
Commer, John	Gilmore, W. A.	Kauffman, Soloman
Castine, Enoch	Graham, John	Kauffman, John H.
Campbell, Harvy	Huffman, Geo.	Kauffman, Joshua
Cripps, Laurance	Harshbyer, Jonas	Kauffman, Elijah
Comelions, Wm.	Harshbarger, Wm.	Kauffman, Henry H.
Campbell, James	Harshbarger, Jacob	Kauffman, Jared
Dull, George	Harshbarger, Isaac	Kauffman, Kurtz
Decker, Michal	Harshbarger, D. H.	Kauffman, Joseph
Davis, Thos.	Harshbarger, Joshua	Kauffman, Stephen
Davis, Benj.	Harshbarger, David	Kauffman, Henry
Emery, George	Himmelsbaugh, Joseph	Kreiger, Wm.

Long, John W.	Miller, H. H.	Silks, George
Long, Isaac	Miller, Joseph	Leaffard, J. S.
Lilley, Geo.	Moist, John	Sherrer, Wm. sr.
Landis, John	Miller, Nicholas	Sherrer, Wm. jr.
Lewis, Wm.	Moist, Abram	Starook, Nicholas
Landis, Frederick	Miller, Christian, jr.	Staner, Elias
Moist, Mahlon	Miller, Moses	Stubbs, W. C.
Miller, Jacob	Miller, Wm.	Settle, J. L.
McKinstry, David	McCorde, Thos.	Sherrer, Cyrus
Myers, Abram	Miller, Isaac	Scyock, Benj.
Moist, Christian	Maxell, John	Setzler, John
Miller, D. H.	Miller, Joseph	Trimble, Alexander
Miller, Christ L.	Piles, Thos.	Wilson, Alfred
Miller, George	Parchey, Irwin	Wolfkill, John
Moist, Aaron	Rouk, Christian	Whitehead, John H.
Moist, Moses	Rhinehart, John	Walls, Isaac
Miller, Jesse	Remminger, Jas.	Watt, John, sr.
McCormack, Joseph	Ross, Wm., sr.	Wolfkill, Saml.
McCorde, Thos.	Rupert, Saml.	Watt, John, jr.
Moist, Joseph	Runk, Joseph	Winter, Eli
Miller, J. K.	Rogers, Daniel	Wilson, Saml.
Moist, Joel	Remminger, Henry	Wooding, Jas.
Miller, Jonathan A.	Rouk, John	Wakefield, Miles
Miller, Jacob	Rouk, Philip	Witzell, Jas.
Miller, John L.	Rothrock, Valentine	Watt, Saml.
Moist, C. K.	Rhodes, Saml.	Winters, Joseph
Machamer, S. S.	Reminger, Joseph	Walls, J. D.
Miller, Nicholas	Rothrock, Saml.	Yoder, Jonas
Miller, John H.	Russell, Saml.	Yoder, Saml.
McCalips, Andrué	Russell, Wm.	Yoder, Joshua
Moist, Abram	Reminger, N. B.	Yontzey, Elijah
McCormack, Jas.	Ross, Wm., jr.	Yoder, John S.
Miller, Christ, sr.	Reminger, Louis	Yoder, John
Morrow, D. D.	Reminger, John	Yoder, Michal
McGlaughlin, Michael	Setzler, Fredrick	Yoder, William
Miller, Saml W.	Starook, Jacob	Zook, Iseral
Moist, Philip	Silks, Saml.	Zook, Shem.

STATE OF PENNSYLVANIA,
Mifflin County, ss :

By virtue of the following resolution, passed by the commissioners of county aforesaid on March 14, 1879, viz—

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioners’ office he may demand relating to the election for Congress for the year 1878, and certify the same under his hand, and affix the seal of the commissioners’ office thereto, said records to be made at the expense of said Yocum”—

I, John K. Rhodes, clerk of the commissioners for Mifflin County, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of Bratton Township furnished by me to the officers who held the general election for said township for Congress and other officers on 5th November, 1878.

In witness whereof I have hereunto set my hand and affixed the seal of the commissioners’ office of said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,
Clerk to Commissioners.

E. C (11).

Wayne Township.

Aurand, Abram
 Aurand, W. C.
 Arnald, Jas. C.
 Aclay, Michal
 Aurand, Joseph
 Beaty, Robt.
 Burlew, Henry
 Bowerson, G. W.
 Bardine, John
 Buckley, George
 Bratton, Wm. F.
 Barbon, John
 Baily, Jacob
 Barnet, Lewis
 Barbon, Alex.
 Banks, Jas.
 Bratton, E. F.
 Baker, Samuel
 Bratton, John R.
 Clymans, James
 Coulter, Thos.
 Caldwell, John T.
 Comelions, John T.
 Coulter, Geo. W.
 Comelions, Henry
 Cummings, Alex.
 Campbell, John
 Comelions, Jno., sr.
 Chandler, Geo.
 Culbertson, John
 Copenhaver, Jno.
 Caughling, Wm.
 Clemons, Peter
 Casiday, Edw'd
 Clemons, Jno.
 Cowden, Geo.
 Cassiday, David
 Cassner, Jno. D.
 Cramer, Cyrus
 Coons, Chas.
 Carrol, John
 Cassaday, Thos.
 Chilcoat, John
 Comelions, Zacharia
 Clemmons, Sol. H.
 Cramer, John
 Coulter, Geo. W., jr.
 Coulter, John C.
 Chilcoat, Balsor
 Cochran, Thomas
 Casner, Jacob
 Comelions, Scott

Comelions, Christian
 Drake, Franklin
 Dysart, Jas. C.
 Dysart, Jas. A.
 Daniels, James
 Daniels, Chas. Alex.
 Davis, Wm.
 Derr, George
 Emory, Thos. Jeff.
 Earnest, Geo. W.
 Ewing, David
 Feilds, Christopher
 Feilds, Wm.
 Fleming, H. M.
 Feilds, Elisha
 Fager, George
 Foster, George
 Ferguson, Andrué
 Foust, Jacob
 Forgy, Henry W.
 Feilds, Geo. A.
 Forgy, David S.
 Feltebarger, James
 Foster, Wm.
 Forner, Samuel
 Feilds, Geo. L.
 Fulton, Wm.
 Fager, Wm.
 Feilds, Jos. R.
 Graham, Isaiah
 Gaff, John, sr.
 Glassgow, John
 Graham, Henry W.
 Goodman, Albert
 Gilland, John
 *
 Harshbarger, Daniel
 Hoover, D. R.
 Hess, S. M. V.
 Heister, Jame M.
 Heister, Wm. D.
 Hazlett, Jonathan
 Huntman, Thos.
 Hains, Wm.
 Hanawalt, George
 Hanawalt, David
 Hicks, Graffus M.
 Hyle, John R.
 Hinds, John D.
 Hughes, David
 Hess, Wm.
 Heister, David

Haslet, Albert
 Heister, Sam'l
 Harshburger, David
 Hawk, Saml.
 Henderson, Geo. C.
 Heister, Geo.
 Hughes, Emanuel
 Harshbarger, Jacob
 Hughes, Henry P.
 Harvy, Sam'l
 Johnston, Thos.
 Johnston, H. I.
 Jenkins, David
 Johnston, Jas.
 Jenken, John
 Kerr, Robt.
 Kauffman, John R.
 Keifhaber, Fredrick
 Kiner, John
 Kauffman, Stephen
 Kiner, And. A.
 Kyle, John
 Kann, Wm.
 Kerr, John
 Kiner, Geo. S.
 *
 Gaff, John, jr.
 Gilliam, John
 Gilliam, George
 Ginaphon, Oliver
 Gill, Jacob
 Gilland, John, jr.
 Landis, Wm.
 Linn, A. E.
 Lukens, Wm B.
 Leonard, John
 Laird, Hugh
 Little, A. F.
 Lauver, Jacob
 Laughlin, P. P. R.
 Morrison, Elijah
 McNear, J. F.
 McCarthy, John R.
 McGlaughlin, John
 Miller, John D.
 Miller, Jacob
 Miller, Wm.
 McKindrie, Wm.
 McCormack, Chas.
 McDonald, Jonathan
 Miller, John, sr.
 Murfin, Sam'l

McCarthy, Jas.	Rothrock, George	Smith, Fred.
McGlaughlin, W. P.	Rutherford, Sam'l	Shade, Frank B.
Musser, Martin	Reed, Wm.	Shade, Isaac
Mathews, Jesse	Rhodes, David	Smith, Isaiah
McKinstry, Thos.	Reminger, Fred.	Smucker, Jacob
McKinstry, Joseph	Ramsey, Wm.	Sunderland, John L.
Moist, David	Rosenberry, Jas.	Strauser, Benj.
McGlaughlin, Michal	Rutherford, George	Smith, George
McGalion, Augustus	Rhodes, John	Stine, Milton
Mathews, George	Rutherford, Mathin	Sunderland, John H.
Mathews, James	Rhodes, Jordan N.	Sechrist, John
McCarthy, Wm. B.	Rossitter, T. F.	Sechrist, Jas.
McCarthy, C. R.	Rutherford, John	Sayers, Jackson
Moist, Wm.	Shire, Sam'l, jr.	Saylor, J. D.
McKinstry, John	Sunderland, W. H.	Saylor, Jesse S.
Miller, Samuel R.	Smith, John	Stine, North A.
Miller, David R.	Shade, Wm.	Shade, Joseph
Miller, Benj. R.	Shade, Philip	Shire, Sam'l R.
Norton, Martin V. B.	Shade, Sam'l	Tweed, George
Norton, Jacob	Sunderland, Wm.	Taylor, Joseph
Norton, David	Shade, Jacob S.	Tweed, John
Norton, Jas. E.	Smucker, J. E.	Tweed, Thomas
Pecht, Wm. A.	Shaver, Jacob	Taylor, Samuel
Pollock, John	Sayler, John	Vanzandt, Wm.
Postlethwait, S. D.	Snowden, Henry	Wolfkill, John
Postlethwait, John	Smelker, Fredrick	Wolfkill, L. S.
Powell, Lewis	Sechrist, Sam'l	Wilson, Jas.
Pheasant, David	Spickler, George	Weams, George
Postlethwait, Wm. A.	Stine, Wm.	Witherow, David
Postlethwait, James	Stine, David	Witherow, Wm.
Powell, James	Shade, Isaac	Walton, Thos. B.
Pollock, L. Atkinson	Smucker, Amos	Wilson, Wm.
Pressler, Wm.	Spickler, Jacob	Wharton, Geo. B.
Price, John	Stine, David, jr.	Wharton, Benj. C.
Price, Wm.	Strunk, Geo. W.	Walls, David
Pecht, Geo.	Shaver, John W.	Whitzell, Martin
Pennepacker, E. W.	Shaver, David	Wheitzell, Elias
Postlethwait, Porter	Sayers, Wm.	Warefield, Noah
Pollock, Thompson	Sunderland, Sam'l	Wilson, John
Pollock, Wm.	Swisher, Leonard	Walls, Absalom
Postlethwait, North A.	Sunderland, Thos. J.	Wagoner, S. G.
Pecht, John E.	Sacket, C. E.	Wilson, Alfred
Quary, Jacob	Shaver, Morris	Winn, John
Richerd, Peter	Smelker, Thos.	Wharton, D. S.
Rutherford, Vincint	Sayler, Emory	Wilson, Jas.
Rhodes, Levi	McVey, John R.	

STATE OF PENNSYLVANIA,
Mifflin County, ss :

By virtue of the following resolution, passed by the commissioners of the county aforesaid March 14, 1879, viz—

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioner's office he may demand relating to the election for Congress for the year 1878, and certify

the same under his hand and affix the seal of the commissioner's office thereto; said records to be made at the expense of said Yocum"—

I, John K. Rhodes, clerk of the commissioners for Mifflin County, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of Wayne Township furnished by me to the officers who held the general election for said township for Congress and other officers on November 5, 1878.

In witness whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,
Clerk County Commissioners.

E. C (12).

Granville Township.

Arnald, John P.	Bare, W. H.	Engle, W. A.
Aurand, Henry	Brewer, J. A.	Endslow, S. F.
Armstrong, Thomas	Brewer, Benj.	Endslow, T. M.
Allen, George	Brewer, Henry	Estworthey, John
Arbogast, John	Brewer, Jacob	Eckabbarger, James
Anderson, James	Brought, Thomas	Ewing, Anthony
Ammond, Frank	Bare, Jacob	Foy, Wm.
Aurand, Harrison	Cargill, Joseph	Foy, And. J.
Aurand, George	Carr, James	Freed, Sam'l jr.
Aurand, Isaac	Carr, John	Foy, Thos.
Armstrong, John	Cupples, Robt.	Freed, Sam'l, sr.
Arnald, John W.	Cupples, John	Fitzgerald, David
Allen, Alfred	Conrad, Daniel	Forsyth, John
Armstrong, Henry	Caldwell, W. S.	Felker, Levi
Adams, Robt. S.	Cavanaugh, John	Foster, Abram
Black, P. C.	Caldwell, A. Woods	Forsyth, Joseph
Brown, George	Corbin, David	Goodwin, Jas. L.
Buchan, James	Crawford, J. M.	Gance, John
Brought, W. H.	Cherry, John	Green, Wm.
Brought, Sylvester	Carney, George	Gice, Samuel
Brought, John H.	Crum, Nicholas	Hough, David, sr.
Brough, J. Irwin	Cargill, Wm.	Hough, David, jr.
Brehman, Jacob	Crupper, Homer	Hartley, Daniel
Brewer, Levi	Comfort, Morgan	Hurto, Chas.
Bare, Daniel	Clinepeter Sam'l	Hoops, D. W.
Brannon, John	Caldwell, Scott	Haines, G. W.
Bingerman, Wm.	Colabine, James	Heck, James
Bare, John, sr.	Collins, Thos.	Himalsbaugh, Joseph
Brought, John	Cargill, Wm.	Johnston, Chas.
Beaver, Isaac	Chapple, John	Kelley, Rev. R. E.
Brought, Daniel	Collier, Nelson	Kearns, Wm.
Brown, Sam'l L.	Crimel, Jas.	Krepps, Moses
Brackbill, Thos.	Coon, A. Frank	Kays, John
Burns, A. C.	Comfort, D.	Kennison, Saml.
Brown, W. D.	Downey, Henry	Krepps, G. W.
Brought, Joseph	Dougherty, John	Kelley, W. E.
Brown, James E.	Days, Levi (col.)	Keller, Andrué
Black, Alexander	Emory, J. H.	Kline, Rudolph
Baldwin, R. P.	Esterline, Jacob	Krepps, James
Brehman, John	Esterline, David	Krepps, Wm.

Kintzer, Robt.	McCoy, Frank I.	Ruble, John
Krepps, David	McKinny, C. A.	Rittenhouse, Saml.
Knepp, Soloman	Messerman, Leonard	Ralph, Jos. E.
Knepp, Levi	Moyer, Iseral	Rarick, Jacob
Kochenderfer, George	Mumpher, John	Riggle, Wm.
Keise, Juleus	Miller, James	Rosenborrogh, D.
Kintzer, Russell	McCalipps, Andrew	Ruble, Henry
Krepps, Reuben	McClellan, John	Ruble, Aaron
Kays, W. J.	Minehart, Wm.	Rothrock, Ustic
Kays, J. C.	Minehart, John	Rittenhouse, George
Kays, Jos.	Miller, Jackson	Rittenhouse, J. E.
Knepp, G. H.	McGirk, Jas.	Rothrock, Moses
Lewis, Jos. W.	McGirk, Franklin	Ryan, James
Lewis, Howard	McCullough, Saml.	Rhodes, William
Leopold, Geo. A.	McCorde, John A.	Rheam, William
Lyter, Saml.	Miller, James	Riden, Gust.
Lyter, Michel	McKee, A. S.	Rittenhouse, Jacob
Lilley, John	McKee, R. W.	Rittenhouse, Joseph
Lewis, Isaac	Messerman, Ellis	Snyder, John
Lilley, Saml.	Martin, George	Shepherd, Jas.
Lyter, John	McKee, Chas. A.	Smith, W. G.
Lyter, Christ.	Miller, Wm.	Sellers, Geo. W.
Landis, Daniel	McDonnald, John	Sherwood, Wm.
Lilley, William	Nipple, Samuel	Snyder, Henry
Mathews, Wm.	Notestine, James	Snyder, Joseph
Mitchell, John	Ort, Jacob	Selick, John
McKee, W. S.	Ort, Martin	Shehan, James
McKee, J. Harvy	O'Mally, Saml.	Shehan, Geo. W.
Mooney, John	Owens, Jos. M.	Swigart, Christ.
Myers, Geo. W.	Owens, W. L.	Shaw, Robt. S.
McKee, J. Strode	Owens, V. Blake	Shilling, W.
Myers, Daniel	Ollinger, D. F.	Strode, A. C.
McKee, And. W.	Owens, Owen	Shoemaker, Chas.
Myers, Geo. S.	Ort, Henry P.	Strode, George
McKee, George	Oldt, George	Strong, Saml.
Mowery, Amor	Ort, Jacob	Strunk, John
Muthorsbaugh, J. K.	Owens, Wm.	Shimp, Alvin
Moore, James	Owens, Millard B.	Swain, Chas. H.
Moore, Thomas	Plummer, Merton	Steltzer, Michael
Minehart, Ard.	Peffer, Philip	Steel, Thomas
McCoy, S. H.	Potter, Jacob	Shimp, Thompson
Martin, H. G.	Price, Moses	Shimp, W. T.
Mays, A. C.	Philips, Thos.	Shively, George
McCormack, J. H.	Price, H. R.	Strunk, Albert
Mumpher, N. A.	Price, Wm.	Selick, Henry
Miller, Chas.	Pennepacker, Noah	Stelbzer, George
Mitchel, Martin	Peters, Michal	Smith, W. H.
Miller, Jacob	Price, Isaac	Stahl, W.
Mitchell, John	Patten, Howard	Sugart, Saml.
Myers, Saml. L.	Price, Jermiah	Shannon, Jas.
Mowery, Joseph	Price, Daniel	Smoker, Felix
Miller, Joseph	Potter, James	Singer, John
McCalipps, Jordan	Potter, George	Smith, Saml.
Morrison, Wm. I.	Riggle, Wm., jr.	Shilling, James
Martin, W. A.	Ripka, W. H.	Showalter, Jacob
Miller, Mahlon	Ruble, Saml. L.	Stahl, Chas.

Stine, W. A.
Settle, George
Saxon, Abram
Saxon, Albert
Stedy, Saml.
Smoker, Jacob
Snook, Thompson
Snyder, J. H.
Spriggle, Joe
Singer, George
Shehan, Andrew
Swigart, W. J.
Swigart, J. C.
Smith, P. R.

Steel, J. L.
Smith, Joe A.
Shimp, Henry
Shaffer, Joseph
Stelbzer, Joseph
Snook, Wm.
Shannon, Wm.
Troy, Thomas
Ulsh, Joseph
Ulsh, John
Ulsh, Frank
Vanzandt, Harry
Wentle, Wilson

Walker, H. C.
Wagoner, A. J.
Wagoner, Alex.
Wagoner, Absalom
Woodrow, J. I.
Wathen, Wm.
Wheeler, Chas.
Zimmerman, Frank
Zimmerman, Nathan
Zimmerman, Isaac
Zarger, John
Zinn, L. R.
Zimmerman, Wm.

STATE OF PENNSYLVANIA,

Mifflin County, ss:

By virtue of the following resolution, passed by the commissioners of the county aforesaid on March 14, 1879:

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioners' office he may demand relating to the election for Congress for the year 1878, and certify the same under his hand and affix the seal of the commissioners' office thereto, said records to be made at the expense of said Yocum”—

I, John K. Rhodes, clerk of the commissioners for Mifflin County, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of Granville Township furnished by me to the officers who held the general election for said township for Congress and other officers on 5th November, 1878.

In witness whereof I have hereunto set my hand and affixed the seal of the commissioners' office for said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,
Clerk to Commissioners.

Oliver Township.

Aurand, Vance
Aurand, J. S.
Aultz, Michal
Aurand, Ely
Allen, Joseph
Adams, Robt.
Aurand, John
Anderson, Alex.
Aultz, J. C.
Brehman, J. C.
Brehman, W. P.
Boas, John
Breniman, J. C.
Bartle, James
Breniman, Abraham
Beaty, F. J.
Beaty, Jas.
Bowlinger, S. W.

Bolinger, Cyrus
Barre, Ely
Biler, Emanul
Bortle, John
Bratton, Jos. R.
Bowling, Jacob
Bowlinger, Isaac
Breinsholtz, I. J.
Brubaker, George
Beaty, Casper
Barr, S. C.
Bruminger, Wm.
Brehman, N.
Brehman, David
Brumbaugh, George
Bratton, W. R.
Bratton, C.
Bratton, R. E.

Byler, Jacob
Bollinger, Geo. W.
Brewer, Michal
Brehman, Filmore
Carpenter, John
Clinger, Joseph
Cutman, Daniel
Cornelious, W. R.
Caster, P. W.
Cornelious, John
Cutman, Wm.
Chonner, Saml.
Cox, Benjamin
Cox, Jacob
Cox, George
Decker, Daniel
Dixon, E. W.
Dunnison, Joseph

Dunnison, Gabriel
 Decker, J. M.
 Dunnison, Oliver
 Dunnire, Allen
 Dunmier, J. H.
 Elliott, Joseph
 Erwin, W. H.
 Freed, J. T.
 Forge, Robt.
 Forge, Robt., sr.
 Foust, James
 Forge, F. K.
 Gill, John
 Gearhart, Sm. F., sr.
 Garver, Gabe
 Garver, John W.
 Gillespy, Moses
 Graham, Ely
 Graham, Wm.
 Green, Benj.
 Gearhart, S. J.
 Gearhart, Wm.
 Garver, J. B.
 Goss, Joseph
 Gro, Austin
 Gill, Benj.
 Gay, Nicholas
 Green, John
 Gross, Millard
 Gross, Abram.
 Horning, Albert
 Hoover, Edwd.
 Hook, Wm.
 Hatzler, J. K.
 Hartzler, S. B.
 Harshbarger, Gideon
 Hill, Jas.
 Hardishell, Joseph
 Handwalt, George
 Hesser, W. D.
 Hoover, E. F.
 Hambright, Jas.
 Harris, J. A.
 Hesser, Fredrick
 Horn, W. A.
 Janes, George
 Jenkins, Ezra
 Jarvis, W. E.
 Kouch, John
 Kinsell, M. F. H.
 Kinsell, John A.
 Kreps, Andrue
 Kemerling, A. J.
 Kemerling, G. S.
 Kinzer, John
 Kauffman, Soloman

Knepp, Jacob
 Knepp, Wm.
 Kemerling, Marion
 Kauffman, J. J.
 Kauffman, Hamilton
 Kiser, Philo
 Kiser, John
 Knepp, John S.
 Kinsel, Oliver
 Kragill, J. A.
 Knepp, Henry
 Leafard, Adam
 Landis, Geo.
 Lanver, Geo.
 Litlor, Wm.
 Landis, Wm.
 Mathews, Wm.
 Mathews, Henry
 Marsden, John
 McCorde, John A.
 McGill, George, sr.
 Myers, P. S.
 Myers, R. T.
 Myers, L. C.
 Murphy, P. A.
 McCormick, Robt.
 McCormack, John, sr.
 Musser, Saml.
 Moore, W. A.
 Moore, Edwd.
 McCormick, John
 Mertz, W. H.
 Mowery, Irwin
 McCorde, J. G.
 Myers, Anthony
 Manbeck, Isaac
 McCormack, Huston
 McGill, Jas. A.
 McGill, Geo. W.
 Murphy, B. F.
 Miller, Jas.
 Miller, John
 Martin G. D.
 Meeker, Joseph
 Mertz, L. W.
 McCorde, F. B.
 Mathews, Wm.
 Norris, Jas.
 Nicklas, Thomas
 Nafzinger, D.
 Nafzinger, Amos
 Otto, John
 Otto, Wm.
 Oliver, John S.
 Pearsons, Wm.
 Prise, H. S.

Parsons, Thos.
 Peltz, C. H.
 Rupert, Adam
 Rothrock, John
 Roads, Benj.
 Roads, Jas.
 Roads, Wm. D.
 Roads, Michael
 Roads, Joseph
 Reain, John
 Ruble, G. W.
 Ruble, G. S.
 Ruble, Michael
 Rosenborough, Robt.
 Rush, Peter
 Rush, J. A.
 Ream, Peter
 Roads, W. E.
 Runk, John
 Runk, L. H.
 Rupert, Geo. C.
 Ruble, John
 Rupert, Lloyd
 Rupert, John
 Rush, Albert
 Roads, Wm.
 Ream, John
 Rheam, Thos.
 Rothrick, Emanuel
 Roads, David
 Rickabaugh, E. N.
 Rickabaugh, Jeremiah
 Ream, Adam
 Roads, G. S.
 Rodgers, F. P.
 Stroad, George
 Strowen, Jas.
 Settle, John
 Shahan, John C.
 Shahan, John
 Shahan, George, Sr.
 Swigart, George
 Swigart, Henry
 Swigart, Levi
 Swigart, A. R.
 Strode, Joseph
 Stewart, J. C.
 Shively, Moses
 Stine, Cyrus
 Stine, G. W.
 Stine, J. R.
 Stine, J. F.
 Stine, S. B.
 Shier, Samuel
 Settle, Howard
 Snook, H. B.

Snook, Daniel
 Snook, Jesse
 Shahan, George
 Shahan, David
 Shahan, James
 Sterdinger, John
 Stayney, W. S.
 Stewart, John
 Sunderland, Thos.
 Strode, Amor
 Swigart, Henry S.
 Stine, D. R.
 Summerville, A. E.
 Shade, Albert

Stubzman, Levi
 Underwood, George
 Valentine, Aaron
 Wilson, Joseph
 Wason, White
 Walls, John, sr.
 Williams, Jas.
 Ward, Rudolph
 Wakefield, George
 Wilson, Jacob
 Wilson, Wm.
 Wible, Chas.
 Wilson, Henry
 Wertz, Howard

Withworth, Ormond
 Walls, John A.
 Warton, William
 Walls, Isaac
 Wilson, Henry M.
 Wilson, Jas. B.
 Willson, Wm. E.
 Withworth, Mortimer
 Witherow, John N.
 Yoder, Jonathan
 Youtzey, Samuel
 Yetter, Benj.
 Zook, Levi

STATE OF PENNSYLVANIA,

Mifflin County, ss :

By virtue of the following resolution, passed by the commissioners of the county aforesaid, March 14, 1879:

“*Resolved*, That the clerk of the commissioners of the county of Mifflin is hereby authorized and directed to prepare for Seth H. Yocum copies of any papers remaining in the commissioners' office he may demand relating to the election for Congress for the year 1878, and certify the same under his hand and affix the seal of the commissioners' office thereto. Said records to be made at the expense of said Yocum.

I, John K. Rhodes, clerk of the commissioners' for Mifflin county, do hereby certify that the foregoing is a correct, full, and true copy of the list of registered voters of Oliver Township, furnished by me to the officers who held the general election for said township for Congress and other officers on 5th November, 1878.

In witness whereof I have hereunto set my hand and affixed the seal of the commissioners' office of said county this 17th day of March, 1879.

[SEAL.]

JOHN K. RHODES,
Clerk County Commissioners.

E. C (14).

Register of voters residing in the election district of Old Armagh Township.

Alexander, Cyrus, v.
 Aitkens, Hugh, v.
 Arnold, Jacob.
 Alexander, C. R., v.
 Armstrong, Lot, v.
 Alexander, R. B., v.
 Alexander, W. F., v.
 Aitkens, Wm. H.
 Bargo, Leonard, v.
 Barger, A. E., v.
 Brown, A. A., v.
 Black, P. A.
 Baufort, Peter, v.
 Beaver, John, sr.
 Barger, John, v.
 Baley, Peter, v.
 Barger, Sam'l S., v.

Bubb, Isaac, v.
 Baker, F B., v.
 Bubb, Edward.
 Black, A. F., v.
 Brown, E. B.
 Baley, F. P. v.
 Batman, R. F.
 Batman, Jacob B., v.
 Bender, Henry.
 Carson, James, v.
 Close, W. T., v.
 Contner, John, v.
 Crickbaum, Edward, v.
 Camp, John, v.
 Culberson, John.
 Crissman, J. M., v.
 Cummins, Robt., v.

Culberson, Samuel, v.
 Close, A. E., v.
 Close, W. T., v.
 Close, S. E., v.
 Camp, J. A., v.
 Close, H. J., v.
 Coldren, Isaac, v.
 Coplin, Owen, v.
 Chamberlin, John, v.
 Close, J. R.
 Cottle, J. A., v.
 Casson, W. G., v.
 Crissman, G. W., jr., v.
 Coplin, W. J., v.
 Close, R. T., v.
 Contner, John, jr., v.
 Coldren, Wm., v.

Calhoon, Norman.	Hoar, Joseph, v.	McNutt, S. W.
Calhoon, J. Bush.	Hoar, Uriah, v.	McLenahan, W. C., v.
Culberson, H. H., v.	Hartman, J. R., v.	Myers, Christ., v.
Cox, C. A.	Hunter, John R., v.	Moore, D. F., v.
Contner, James N. (age).	Henry, Wilson J., v.	McNutt, Samuel v.
Cottle, S. S. (age), v.	Henry, Thomas B., v.	McNutt, Wm., v.
Coldren, S. D. (age), v.	Harshbarger, S. A., v.	McNutt, R. J., v.
Coleman, Austin, v.	Hassinger, Elliott.	Maben, John, v.
Dangler, John.	Hawl, John, v.	McLenahan, George, v.
Depo, Thomas, v.	Havice, Samuel J., v.	Maben, J. R., v.
Dillett, W. S., v.	Havice, J. W., v.	Miller, John, v.
Davis, James, v.	Hoar, Nelson, v.	McDowell, John, v.
Dye, S. V., v.	Haford, John.	McDowell, Wm. E., v.
Dillett, W. W., v.	Hurnes, George.	Maclay, Samuel, v.
Dean, Eli, v.	Hile, Milton.	Moser, Eli.
Delaney, Washington, v.	Hetterick, Isaac, v.	McCormick, J. T., v.
Dillett, John G., v.	Harpster, Oliver, v.	Maben, David, v.
Derr, I. P. (age), v.	Hoopes, Ira (age), v.	Maben, Jacob, v.
Elliott, J. R., v.	Harvey, C. W., v.	Miller, Daniel.
Ehrenfield, Wm. J., v.	Samuel F. Henry, v.	Magary, John, v.
Ebaugh, Wm. H., v.	Havice, Geo. M. (age), v.	McLintick, Wm., v.
Ehrenfield, C. J., v.	Hetrick, Amos, v.	Maack, Joseph, v.
Engle, J. W., v.	Hartman, Joseph (age), v.	Michael, Wm., v.
Forney, J. D., v.	Jonston, Andrew B., v.	McLintick, Hugh, v.
Fleck, G. W., v.	Jonston, Rev. J. M., v.	McLenahan, Wm., v.
Felmaly, David, v.	Kohler, John, v.	Matson, David.
Furst, L. M., v.	Kepperling, Christ.	McNutt, James, v.
Forrey, J. R., v.	Kessler, Samuel, v.	Miller, Eugene, v.
Felmly, Jacob, v.	Kessler, Crofford, v.	M'Cormick, C. F., v.
Fortney, E., v.	Kibe, Eli.	McMunigle, James, v.
Gearhart, Levi, v.	Krise, Jacob, v.	Moore, P. B., v.
Greer, Adam, v.	Kilmon, J. S., v.	Mathews, Joseph, v.
Gammill, John, v.	Kimes, C. B.	McLenahan, C. B., v.
Graff, A. W., v.	Kibe, Emmer, v.	McNutt, A. B., v.
Greer, Wm., v.	Kerr, James, v.	McLintick, Andy.
Graham, Walter, v.	Kerr, John, v.	Michael, James S. (age), v.
Graham, D. S., v.	Kirk, Harris, v.	Nagney, J. D., v.
Gwinn, J. N., v.	Klinger, Aaron, v.	Nease, Samuel, v.
Graff, John, v.	Linthrust, Wm. H., v.	Nale, W. W., v.
Gammil, John D., v.	Linthrust, G. W., v.	Nagney, M. M., v.
Hiland, A. T.	Linthrust, Samuel L.	Nagney, W. C., v.
Hassenplug, J. T., v.	Limbert, Samuel, v.	Nale, Lawrance, v.
Hawk, Wm., v.	Lehr, Henry, v.	Nale, J. R., v.
Hassenplug, Phillip, v.	Linthrust, John L., v.	Ocker, Wiloby, v.
Havice, John, v.	Longwell, Thomas J., v.	Price, George.
Hoopes, E. M., v.	McNutt, J. C., v.	Platt, J. B., v.
Hartman, Christ, v.	McLelland, John W., v.	Pecht, John, v.
Houser, Lewis, v.	McMunigle, Thompson, v.	Payne, Wm., v.
Harshbarger, Abram, v.	Moore, Henry, v.	Poorman, Wm.
Hadey, Christ, v.	McLintick, Felix, v.	Pecht, Wm. J., v.
Harvey, E. P., v.	McLintick, John, v.	Pecht, Frank, v.
Hassenplug, Joseph, v.	McNutt, Thomas, v.	Riden, John, v.
Havice, Frederick, v.	McNutt, Wm., v.	Raine, Joseph, v.
Hassinger, Jerry, v.	Maben, Andy, v.	Ramsey, Wm. H., v.
Henry, Adam, v.	McNutt, James, v.	Rex, Levi.
Houser, Augustes.	McNutt, John, v.	Russler, James, v.

Ruger, John A., v.	Shirk, Henry, v.	Underwood, Jason, v.
Rusler, J. L., v.	Showalter, Josiah, v.	Underwood, Z., v.
Russell, Emanuel, v.	Stringfellow, Samuel, v.	Williamson, T. M., v.
Rutter, Edward, v.	Showers, Jacob.	Wilkey, Wm., v.
Ramsey, C. E., v.	Shoemaker, John A., v.	Worley, Samuel, v.
Reed, Lewis, v.	Stumpff, Ruben, v.	Ward, Isaac, v.
Reed, George, v.	Stover, J. O., v.	Worle, Wm., v.
Russler, Wm. J., v.	Stringfellow, S., v.	Wagoner, Jacob F., v.
Ramer, Daniel, v.	Thompson, Ner., v.	Woodburn, Peter, v.
Ruble, Andy.	Thompson, Ira, v.	Williamson, C. H., v.
Rapp, John, v.	Treaster, Sam'l P., v.	Wilson George.
Rodgers, Fernando (age), v.	Thompson, James, v.	Wagoner, Emanuel.
	Treaster, S. C.	Wagoner, Taylor, v.
Shipton, F. N., v.	Treaster, Jacob, v.	Wagoner, S. S., v.
Stringfellow, Joseph, v.	Thompson, Albert, v.	Wilands, James, v.
Sundy, Andy.	Treaster, David.	White, J. W., v.
Swartzell, Andy.	Thompson, Moses, v.	Worley, Henry C., v.
Spangler, S. R., v.	Thompson, Wm. M., v.	Wilands, Wm., v.
Sterrett, Wm. A.	Thompson, Roland, v.	Wyland, David (age), v.
Sample, Reed, v.	Thompson, O. B. (age), v.	Wagner, Joseph, v.
Sigler, H. P., v.	Underwood, Warner, v.	Wagner, James (age), v.
Shannon, S. G., v.	Underwood, Nuton.	Young, G. W., v.
Sundy, F. E., v.		

UNION COUNTY.

Depositions of witnesses produced, qualified, and examined before the undersigned, a notary public in and for the county of Union and State of Pennsylvania, in pursuance of the notices hereto attached, at the court-house in the borough of Lewisburg, county of Union, and State aforesaid, beginning on the seventeenth day of March, A. D. 1879, and afterwards by adjournments as herein noted, and ending on the 29th day of March, A. D. 1879.

In the matter of the contest between Hon. Andrew G. Curtin and Seth H. Yocum, esq., for the right to a seat in the Forty-sixth Congress of the United States for twentieth Congressional district of the State of Pennsylvania, composed of the counties of Centre, Clinton, Clearfield, Mifflin, Union, and Elk, on the part of the contestee.

Alfred Hayes, esq., and Dale Wilson, esq., appear as counsel for the contestee, and Daniel W. Cox, esq., as counsel for the contestant.

Counsel for contestee offer in evidence a certified copy of the registry list of voters of the north ward of the borough of Lewisburg, Union County, Pennsylvania, being an election district comprised in the twentieth Congressional district of Pennsylvania, with the seal of the county commissioners attached, and attested by Peter Hursh, the clerk of the commissioners of said county, marked Exhibit D. B. M., No. 1.

(Counsel for contestee here states that he will hereafter call Peter Hursh, and make common-law proof also of the foregoing paper offered in evidence.)

Counsel for contestant objects to said paper marked Exhibit D. B. M., No. 1. 1st. Because said paper is not certified according to the act of Congress. 2d. Peter Hursh is simply the clerk of the commissioners of Union County, and as such clerk has no authority under the laws of Pennsylvania to use a seal, said seal being a seal of the commissioners, and not of the clerk. 3d. Said paper is not evidence in itself, and it

must be proved to be correct and a true copy before it can be received in evidence.

Papers marked Exhibit D. B. M., No. 1, in evidence and made part of the record under the above objections.

CHARLES H. HASSENPLUG sworn and examined.

Question. What is your full name?—Answer. Charles H. Hassenplug.

Q. Where do you reside?—A. Lewisburg, Union County, Pennsylvania.

Q. Are you an officer of a court of record for Union County?—A. I am the prothonotary of the court of common pleas of Union County, which is a court of record, and am clerk of the several other courts of Union County.

(Counsel for contestee shows witness a certified copy of list of voters who voted in the north ward of the borough of Lewisburg, county of Union, and State of Pennsylvania, at the general election held November 5, 1878, it being an election district comprised within the twentieth election district of Pennsylvania, as taken from the original list as filed in the prothonotary's office of said county. Paper marked Exhibit D. B. M., No. 2.)

Q. Is this a certified copy of the original list of voters of the north ward of the borough of Lewisburg, county of Union, Pennsylvania, for the election held November 5, 1878, as filed in your office by the judge of said election district?—A. Yes; it is.

Counsel for contestant reserving all legal exceptions to the competency and relevancy of the testimony proceeds to cross-examine:

Q. Is the said copy marked Exhibit D. B. M., No. 2, in your own handwriting?—A. Nothing but the signature—the other is in the handwriting of one of my clerks.

Q. Have you made a comparison of this copy with the original, carefully noting each name?—A. I have not, but I have looked over it generally and believe it to be correct. I compared it with the original this morning, and added a few figures which were omitted.

Q. You did not make such a comparison and examination as will enable you to swear that said paper claimed to be a copy marked Exhibit D. B. M., No. 2, is in fact a true and correct copy of the original?—A. Yes; just as much so as if I had made it myself.

Q. Have you the original in your possession as custodian of the records?—A. I have.

Counsel for contestee now offer in evidence Exhibit D. B. M., No. 2.

Counsel for contestant objects, that a certified copy is not evidence when the original is in the possession of the witness and can be produced and copied by the notary, and said copy not being certified according to the act of Congress.

Paper marked Exhibit D. B. M., No. 2, in evidence and made part of this record under above objections.

C. H. HASSENPLUG.

Sworn and subscribed before me this 17th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

J. W. CORNELIUS sworn and examined.

Question. What is your full name?—Answer. John Wesley Cornelius.

Q. How do you generally write your name?—A. J. Wesley Cornelius. Generally written by others J. W. Cornelius.

Q. Where did you reside on the 5th day of November, 1878?—A. I had been residing in the north ward of the borough of Lewisburg,

Union County, Pennsylvania. On the 16th day of October, 1878, I rented a house in the south ward of said borough, and commenced putting my goods in on the same day. Myself and wife slept there and sometimes we took our meals there.

Q. Had you any other residence or place you called home after the 16th day of October, 1878?—A. I regarded my mother's place in the north ward as my home.

Q. Why did you regard your mother's place as your home?—A. Because I lived there before I moved. I never kept house before now. I lived with my mother.

Q. What goods were remaining at your mother's house on the 5th day of November, 1878, of your own personal effects, which you calculated for your own housekeeping and which you have since removed to the house you so rented?—A. I had a heater stove there, some clothing, and some preserves.

Q. Was not the house you so rented furnished sufficiently to enable you to keep house in it prior to November 5, 1878?—A. We could have kept house in it if we wanted to. If we had staid in it all the time we could have done so.

Q. Did you not have your cooking stove and cooking utensils in the house prior to November 5, 1878?—A. Yes, sir; the cooking stove was put in in September.

Q. During how many days after October 16, 1878, and prior to November 5, 1878, did you take your meals at your mother's house in the north ward?—A. About one-fourth of the time.

Q. You slept at the house you so rented from the 16th day of October, 1878, until the 5th day of November, 1878?—A. Yes, sir.

Q. When you rented this house on the 16th day of October, 1878, you intended to make it your place of residence, did you not?—A. I did, after I got everything moved.

Q. After renting as you have stated, did you intend going back to your mother's as a permanent place of residence?—A. No, sir; I did not.

Q. Where have you continued to reside since the 5th day of November, 1878?—A. In the south ward, in the house which I rented on the 16th of October, 1878.

Q. Did you vote at the election held on November 5, 1878, for member of Congress, to represent the twentieth Congressional district of Pennsylvania in the Forty-sixth Congress of the United States?—A. I did.

Q. Where did you so vote?—A. In the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. For whom did you vote for member of Congress on said 5th day of November, 1878?—A. For Andrew G. Curtin.

Counsel for contestant reserving all legal exceptions proceeds to cross-examine:

Q. Had you resided with your mother in the north ward of the borough of Lewisburg previous to the time when you began housekeeping in the south ward of said borough; if so, for how long previous?—A. I did reside with my mother in the north ward for eighteen years prior to my going to housekeeping in the south ward.

Q. You had only been married a short time before the 5th day of November, A. D. 1878, and had not began housekeeping yet, had you not?—A. Not any more than I had stated before.

Q. Had you taken up your residence permanently in the south ward of Lewisburg on November 5, 1878, or did you still consider your residence in the north ward at your mother's house until you had finally moved into the south ward?—A. I did not consider the south ward my

residence. I considered my residence in the north ward until I had everything moved.

Q. From the 16th day of October, 1878, until November 15, 1878, were you not simply arranging and furnishing the house in the south ward in order to go to reside in the said south ward?—A. Yes, sir; we furnished and fixed it up the best we could, and slept there too.

Q. You had not taken up your residence in the south ward of the borough of Lewisburg until after November 5, 1878?—A. No, sir; not more than I had stated before.

Re-examined by counsel for contestee:

Q. Where is the house located you rented on the 16th day of October, 1878?—A. In the south ward of the borough of Lewisburg, on south Fourth street.

Q. Was not the great bulk of your household goods at the house in the south ward on the 5th day of November, 1878?—A. They were.

Q. Does it not depend on what is considered a residence as to whether you resided in the north or south ward on November 5, 1878, and can you be positive that your residence was in the north ward on that day?

(Counsel for contestant objects to the form of the question, because it is impossible for the witness to swear as to what his residence depended upon, and any answer would simply be the opinion of the witness; 2d, irrelevant.)

A. I considered the north ward my residence, of course.

Recross-examined by counsel for contestant:

Q. Had you paid a State or county tax in the north ward of the borough of Lewisburg within two years prior to November 5, 1878, which had been assessed at least two months and paid at least one month before November 5, 1878?—A. Yes, sir; I did.

Q. Was your name upon the registry of voters for said north ward election district for said election held November 5, 1878?

(Counsel for contestee object, because the witness being a resident of the south ward of the borough of Lewisburg on November 5, 1878, it is immaterial whether his name was on the registry-list of the north ward or not; 2d, irrelevant.)

A. I considered my name was on the registry-list, as no objection was made to my vote.

J. WESLEY CORNELIUS.

Sworn and subscribed before me this 17th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,

Notary Public.

FRANK S. HIGH sworn and examined.

Question. What is your name?—Answer. Frank S. High.

Q. Where did you reside on the 5th day of November, 1878?—A. I resided on Fourth street, south of Market, in the borough of Lewisburg, and have been told that it is in the south ward. I lived next door to J. W. Cornelius.

Q. Did you vote at the election held on November 5, 1878, for member of Congress?—A. I don't know. I voted the State ticket.

Q. State whether or not in voting at said election you did not intend and desire and believe you did vote the Democratic ticket as nominated.

(Counsel for contestant objects to the above question, because what the witness intended or desired to do by way of voting at the election held November 5, 1878, is not evidence. It is what he did or for whom he voted that is evidence; 2d, irrelevant.)

A. I am a Democrat, and intended voting the Democratic ticket, but I don't know how I voted, as I did not see the contents of the ticket. Don't know how many tickets I voted. The ticket I voted had a gum around it, and I placed it upon the table before the election board.

Q. Where did you get the ticket or tickets which you voted?—A. I got my ticket from Mr. Cox, I believe, who is counsel for contestant in this case.

Q. Where did you vote at the election held November 5, 1878?—A. I voted at the school-house on Second street, north of Market, in the borough of Lewisburg, Union County, Pennsylvania. I believe it is in the north ward.

Counsel for contestant, reserving all legal exceptions, proceeds to cross-examine.

Q. Are you certain that you received the ticket which you voted November 5, 1878, from Daniel W. Cox?—A. I either got the ticket from Daniel W. Cox or Charles S. Wolfe, who was the Republican candidate for the legislature, and I don't know for whom I voted for Congress or whether I voted for member of Congress. Any further than the State ticket I cannot swear to.

Re-examined:

Q. Are you not pretty certain that you received your tickets from Mr. Cox?—A. Yes, sir; I am pretty certain of that.

Q. If you voted the whole Democratic ticket did you not vote for Andrew G. Curtin for Congress?

(Counsel for contestant objects to the above question for the reason that the witness has already stated that he does not know either that he voted for a candidate for Congress or for whom he voted; 2d, the answer, whatever it might be, would be irrelevant.)

A. If I did vote the whole Democratic ticket I voted for Andrew G. Curtin, as he was on the Democratic ticket.

Q. At what time of day did you attend the election, and what time were you at the polls?—A. I was there between six and seven o'clock in the evening, and think I was there about one-half an hour.

FRANK S. HIGH.

Sworn and subscribed before me this 17th day of March A. D., 1879.
[SEAL]

D. B. MILLER,
Notary Public.

CHARLES H. HASSENPLUG recalled and examined on the part of the contestee, as follows:

(Exhibit D. B. M., No. 2, shown witness.)

Question. Since you testified this morning, have you compared this paper with the original list of voters at the general election of November 5, 1878, held in the north ward of the borough of Lewisburg on said day? and state whether you find this to be an accurate copy as you have certified.—Answer. I have examined it since and find it a true copy.

C. H. HASSONPLUG.

Sworn and subscribed before me this 17th day of March, A. D. 1878.
[SEAL.]

D. B. MILLER,
Notary Public.

WILLIAM FRANCIS sworn and examined.

Question. What is your full name?—Answer. William Francis.

Q. What is your age?—A. I am going on twenty-eight years of age.

Q. Where did you reside on the 5th day of November, 1878?—A. In the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. Did you vote at the general election held on November 5, 1878, and if so, where did you vote?—A. I did; I voted in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. State whether you voted the Democratic or Republican ticket at said election.

(Counsel for contestant objects to the above question. 1st. Because it is not shown or offered to be shown that the witness was not a qualified voter of said election district, and until it is shown that he is not a qualified elector the witness need not state how he voted as, he, *prima facie*, has a right to vote.)

A. To the best of my knowledge I voted the full Democratic ticket.

Q. What influence was brought to bear on you at said election to induce you to vote the Democratic ticket?—A. On the morning of the election Cap. Walls came down to my house and said he would give me a sack of flour if I would vote for Hoffa and Dill. I told him I would. I did so vote, and afterwards he gave me an order for a sack of flour, and I afterwards got the flour.

Q. About what time of day did you vote and who gave you your ticket?—A. I can't tell what time of day, but I think it was about 9 o'clock in the morning Mr. Walls gave me the ticket.

Q. Did Mr. Walls give you the whole Democratic ticket?—A. I can't say whether he did or not. It was folded up and I did not open it to look at it. To the best of my knowledge he did.

Q. What is Cap. Walls's name?—A. I don't know what his first name is.

Q. Do you know where he has his store?—A. He has a large store on Market street.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. You were a legal voter of the north ward of the borough of Lewisburgh, were you not?—A. I was.

Q. Mr. Walls did not give you anything to vote for Andrew G. Curtin for Congress?—A. I do not know whether he did or not. Mr. Curtin's name was not mentioned.

Q. He asked you to vote for Hoffa and Dill?—A. Yes, sir; that was what he asked me to do.

Q. You have stated that you did not open and read the ticket which you voted; therefore you can't say of your own knowledge whose names were upon it, can you?—A. I can't say whose names were on the ticket; only that Cap. gave it to me.

Q. Did Cap. Walls not tell you that he would give you nothing for your vote, but that he would make you a present of a sack of flour because you complained to him of poverty?—A. No, sir; I did not complain to him. He said he would give me a sack of flour if I would go along with him up and vote for Dill and Hoffa.

Q. Had not Cap. Walls frequently assisted you?

(Counsel for contestee objects, because not cross-examination and irrelevant.)

A. No, sir; he did not.

Re-examined by counsel for contestee:

Q. Did you go along with Cap. Walls and vote the ticket he gave you?—A. I did.

Q. Is Cap. Walls a democrat or not?

(Counsel for contestant objects, first, that it is immaterial whether Walls is a democrat or not; 2d, irrelevant.)

A. I think he is.

Recross-examined by counsel for contestant:

Q. Whom did you first tell that Cap. Walls had given you a sack of flour to vote for Dill and Hoffa?

(Counsel for contestee objects, because no cross-examination, immaterial, and irrelevant.)

A. I first told Ross Hann; then I told Jim Knettle.

Q. Who else did you tell?

(Counsel for contestee objects, because no cross-examination, immaterial, and irrelevant.)

A. I told my father. I don't know as I told anybody else. I told William Wolfe.

WILLIAM FRANCIS.

Sworn and subscribed before me this 17th day of March, A. D. 1879.

D. B. MILLER,

Notary Public.

CHARLES H. HASSONPLUG recalled.

Question. Do you reside in the borough of Lewisburg, and, if so, how long have you resided there, and in what ward do you now reside?—

Answer. I have resided in the borough of Lewisburg for over fifteen years, and about ten years in the north ward.

Q. Are you acquainted with Captain Walls, and how long have you known him?

(Counsel for contestant objects, that the evidence is immaterial and irrelevant.)

A. I am acquainted with him, and have known him for about fifteen years.

Q. What is his full name?—A. George W. Walls; I think his initials are G. W.

Q. What are his politics?

(Counsel for contestant objects, that the evidence is immaterial, inadmissible, and irrelevant.)

A. He is an active Democrat.

Q. Was he not active as a Democratic politician at the north ward polls at the election of November 5, 1878?

(Objected to as above.)

A. I don't know whether he was all day or not. I was not at the polls all day, but generally when I was there he was about. He appeared to be electioneering.

Q. Are you acquainted with Daniel W. Cox, esq., and how long have you known him?

(Objected to as above.)

A. I am acquainted with him, and have known him for about twelve or fifteen years; I don't know exactly.

Q. State whether or not he is an active Democratic politician.

(Counsel for contestant objects as before, and besides Daniel W. Cox would be the best witness as to his politics.)

A. Yes; he generally is.

Q. Did he not interest himself at the polls in the north ward of the borough of Lewisburg at the election of November 5, 1878 in behalf of the Democratic ticket?

(Objected to as above.)

A. He did generally. He did for part of the ticket; can't say that he did for it all. He was chairman of the Democratic standing committee for Union County.

C. H. HASSONPLUG.

Sworn and subscribed before me this 17th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

DAVID HIGH sworn and examined.

Question. What is your name?—Answer. David High.

Q. Where did you reside on the 5th day of November, A. D. 1878?—

A. In a house belonging to Charles S. Wolfe, situated on South Water Street, south of Market Street, in the borough of Lewisburg, Union County, Pennsylvania. I think it is in the south ward.

Q. Did you vote at the general election held November 5, 1878, for member of Congress?—A. I voted at the election, but I can't say whether or not I voted for member of Congress.

Q. Where did you vote at the election held November 5, 1878?—A. I voted at the school-house situated on Second street, north of Market, in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. State whether or not you voted the whole Democratic ticket or not.—A. I don't know whether it was or not. I did not even as much as look at the heading.

Q. From whom did you get the ticket or tickets voted by you?—A. I got the ticket from Mr. Baker. I did not know him at the time.

Q. State whether or not you asked for any particular ticket.—A. I did not.

Q. What party in politics do you belong to?—A. I belong to the Democrats.

Q. Did you not ask for a Democratic ticket?—A. I don't recollect asking for a ticket at all. The ticket was given to me.

Q. Had you any reason to believe that the person who gave you the ticket was of the same political party as yourself?—A. I did not ask the man what his politics were, neither did I know. I never saw the man before.

Q. Describe the man who gave you the ticket.—A. I can't tell what kind of a looking man he was. It was dark, and they were running around with a lantern.

Q. Did anybody tell you to apply to Mr. Baker for a ticket?—A. No, sir.

Q. What did Mr. Baker say to you when he gave you the ticket?—A. I don't recollect.

Q. Did not Mr. Baker tell you that it was a Democratic ticket he gave you?—A. I don't recollect anything about it.

Q. Had you any choice between the tickets voted there that day?—A. I suppose my choice would have been a Democratic ticket, but I don't know whether I voted it or not.

Q. Have you found out since where this Baker lives, or have you since seen him to know him?—A. I have not.

Counsel for contestant, reserving all legal exceptions to the relevancy of the testimony, proceeds to cross-examine:

Q. Are you acquainted with Hon. Charles S. Wolfe?—A. I am.

Q. Was he present when you voted, and did he approve of the ticket which you voted?—A. Mr. Wolfe sanctioned it.

Q. Was or was not Charles S. Wolfe the Republican candidate for the legislature at the election held November 5, 1878?

(Counsel for contestee object, for the reason that it is not cross-examination, and irrelevant.)

A. I know that he was a candidate for some office, but did not know what it was, but have since learned that he was the Republican candidate for the legislature.

Q. Did you desire to vote for Charles S. Wolfe?—A. He was my preference because I lived in his house.

Q. You did not care much how you voted?—A. I did not.

DAVID HIGH.

Sworn and subscribed before me this 17th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,

Notary Public.

Adjourned March 17, 1879, at 8 o'clock p. m. to meet at the same place March 18, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,

Notary Public.

March 18, 1879, parties met pursuant to adjournment.

Counsel for contestee offer in evidence certified copy of registry list of voters of the west ward of the borough of Mifflinburg, Union County, Pennsylvania, for the year 1878, marked Exhibit D. B. M. No. 3; this certified copy to be followed by the testimony of Peter Hursh, clerk to the commissioners, and which will be further authenticated by proof at common law, making it also a sworn copy.

Counsel for contestant makes the following objections to the paper offered in evidence marked Exhibit D. B. M. No. 3: 1st. Said paper is not certified according to act of Congress. 2d. Peter Hursh is simply the clerk of the commissioners of Union County, and as such clerk has no authority under the laws of Pennsylvania to use a seal, and besides, the seal attached to said paper is the seal of the commissioners and not of the clerk.

CHARLES H. HASSONPLUG recalled.

Question. Will you please produce the original return, entitled "Congressional return, judge's certificate," dated the 7th day of November, 1878, and on file in your office?—A. I will, and herewith produce it.

(Certified copy of said certificate offered in evidence and marked Exhibit D. B. M. No. 4.)

Q. Is Exhibit D. B. M. No. 4 a true and correct copy of said original return sheet so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original triplicate election return made by the election board of the west ward of the borough of Mifflinburg, of the election held in said ward on the 5th day of November, 1878?—A. I will, and herewith produce it.

(Certified copy of said triplicate election return offered in evidence and marked Exhibit D. B. M. No. 5.)

Q. Is Exhibit D. B. M. No. 5 a true and correct copy of said original triplicate election return so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original tally-sheet, made by the court of common pleas of Union County, of the result of the election held in

said county on the 5th day of November, 1878, which said tally-sheet is dated November 7, 1878?—A. I will, and herewith produce it.

(Certified abstract of said tally-sheet, so far as the same relates to the vote cast for Congress, offered in evidence, and marked Exhibit D. B. M. No. 6.)

Q. Is Exhibit D. B. M. No. 6 a true and correct abstract of said tally-sheet, so far as the same relates to the vote for Congress in Union County, so full and entire as the same remains in your office?—A. It is.

Q. Will you please produce the original tally-paper of votes cast at the election held in the west ward of the borough of Mifflinburg at the election held November 5, 1878, made by the said election board and on file in your office?—A. I will, and herewith produce it.

(Certified copy of said original tally-paper of votes cast at said election held in the west ward of the borough of Mifflinburg offered in evidence, and marked Exhibit D. B. M. No. 7.)

Q. Is Exhibit D. B. M. No. 7 a true and correct copy of said original tally-paper of votes so full and entire as the same remains on file in your office?—A. It is.

Q. Is the west ward of the borough of Mifflinburg also designated as the seventeenth election district in Union County?—A. It is.

Q. Will you please produce the original list of voters for the west ward of the borough of Mifflinburg at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence, and marked Exhibit D. B. M. No. 8.)

Q. Is Exhibit D. B. M. No. 8 a true and correct copy of said original list of voters so full and entire as the same remains on file in your office?—A. It is.

Q. How many votes are returned on the tally-list of voters for the west ward of Mifflinburg at the election held November 5, 1878, for the different candidates for Congress, as shown by the tally-list made by the election board?

(Counsel for contestant objects to any parol proof as to the contents of any of the exhibits offered in evidence, as the exhibits themselves are the best evidence as to their contents.)

A. Andrew G. Curtin received seventy (70) votes for Congress, Seth H. Yocum received eighty (80) votes for Congress.

Q. Please state how many votes were cast at the election held in the west ward in Mifflinburg on the 5th day of November, 1878, as shown by the list of voters as returned by the election officers of said ward, and which said original list of voters has been produced by you and marked Exhibit D. B. M. No. 8.

(Same objection as above.)

A. There were one hundred and fifty (150).

Q. On the triplicate election return offered in evidence of the west ward of Mifflinburg, is there not a discrepancy between said original tally-list of the west ward and said triplicate election return? If so, please state wherein said discrepancy exists.

(Same objection as to the preceding question.)

A. The triplicate election return shows that Andrew G. Curtin got seventy-seven (77) votes, and the tally-sheet shows that he got but seventy (70) votes.

Q. Please state, if you know, or can explain, how said mistake occurred, and what the true vote should have been returned for Curtin.

(Same objection as to the above.)

A. The papers show that in carrying out on the triplicate return, that

the election officers carried out seventy-seven (77) votes instead of seventy (70) in figures for Curtin. There should have been but seventy (70) votes returned for Andrew G. Curtin for Congress.

Q. Then there is a mistake, is there not, in the triplicate return which gives Curtin seven (7) more votes than he actually received?

(Same objection as before.)

A. Yes, according to the returns.

Q. What then is the true and actual majority which Mr. Yocum did receive in the west ward of the borough of Mifflinburg at the election held November 5, 1878?

(Same objection as before.)

A. Ten (10) majority for Seth H. Yocum.

Q. In making out the general return of said election, state whether the vote as carried out in said general return from the west ward of the borough of Mifflinburg was seventy-seven (77) votes for Curtin instead of seventy (70).

(Same objection as above.)

A. It was counted as seventy-seven (77) votes in the general return.

Q. Please state what the actual vote was as returned in county of Union for A. G. Curtin, as shown by the return sheet offered in evidence.

(Same objection as above.)

A. Fourteen hundred and fifty-five (1,455).

Q. Correcting the mistake in the West ward of Mifflinburg, what is the true vote in Union County for Curtin for Congress?

(Same objection as before.)

A. Fourteen hundred and forty-eight (1,448).

Q. Correcting said mistake, what would Mr. Yocum's majority be in Union County according to the official returns?

(Same objection as before.)

A. Seven hundred and seventy-two (772).

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. The official majority as computed by the court in the county of Union, for Seth H. Yocum, was seven hundred and sixty-five (765), was it not?—A. Yes; I have already stated that.

Q. The official majority as computed by the court in the county of Union, for Seth H. Yocum, was seven hundred and sixty-five (765), was it not?—A. Yes, it was.

Q. The official majority of Seth H. Yocum, in Union County, was counted and announced by the court, sitting as the return board, as seven hundred and sixty-five (765), was it not?—A. As computed by the court, it was seven hundred and sixty-five (765).

Q. You have no knowledge as to any mistake in the west ward of the borough of Mifflinburg other than what you gather from the return from said ward, have you?—A. After the returns had gone out, we discovered the mistake from the returns themselves, and I have no other knowledge except from hearsay.

Q. Are you acquainted with Charles S. Wolfe? If so, state how long you have known him.—A. I have known him for ten or twelve years.

Q. State where he resides.—A. He resides in the south ward of the borough of Lewisburg.

Q. You stated in your evidence-in-chief that you were a resident of the north ward of the borough of Lewisburg. State whether or not Charles S. Wolfe stood at the polls at the north ward election house, at

the election held November 8, 1878.—A. I think I saw him at the north ward election polls, but I am not positive.

Q. Is not Charles S. Wolfe an active Republican ward politician?—A. I think he is generally so.

Q. Was Charles S. Wolfe the Republican candidate for the legislature at the election held November 5, 1878?—A. He was.

Q. Was he not electioneering and working for the election of the whole Republican ticket?—A. I think he was.

Re-examined in chief:

Q. What is the line of separation or boundary between the north and south wards of the borough of Lewisburg?

(Counsel for contestant objects because the testimony of the witness is not the best evidence, there being a record of the division of the borough of Lewisburg into wards in the possession of the town clerk of said borough.)

A. The turnpike or main street, called Market street in the town plan, from the river to Fifth street.

Q. Where is the election held in the north ward in the borough of Lewisburg, and where is the election held in the south ward of the borough of Lewisburg?

(Same objection as before.)

A. The elections are held in the north ward school-house, on North Second street, for the north ward. And for the south ward they are held at the court-house, on South Second street.

C. H. HASSONPLUG.

Sworn and subscribed before me this 18th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

ROBERT F. BARBER sworn and examined.

Question. Please state your age and residence.—Answer. Am fifty-eight. Reside at Mifflinburg, Union County, Pennsylvania.

Q. Were you a member of the election board in the west ward of Mifflinburg at the election held November 5, 1878?—A. I was. I was the clerk of the Democratic inspector.

Q. Is the original tally paper of votes, being Exhibit D. B. M. No. 7, certified copy, in your handwriting?—A. It is.

Q. How many votes at said election in said ward did A. G. Curtin receive for Congress?

(Counsel for contestant objects, that the original tally paper is the best evidence.)

A. Seventy (70) votes. He received seventy (70) votes.

Q. Is the triplicate election return, a certified copy of which being Exhibit D. B. M. No. 5, in your handwriting?—A. It is my handwriting.

Q. In the triplicate election return just referred to you have marked in figures that A. G. Curtin received seventy-seven votes. Please state whether or not this is a mistake.—A. It is a mistake.

Q. What should it be?—A. It should be seventy (70) instead of seventy-seven (77).

Q. How did you make this mistake on the triplicate election return?—A. I must have done it by looking at the wrong name. Immediately below is "A. W. Smith," that has seventy-seven (77) votes. In making out the triplicate return from the tally-sheet I took the number seventy-seven in place of seventy, as it should have been. The tally-sheet is made out as we count off the votes, and the triplicate is made afterwards, copying

from the tally-sheet. The mistake was made in copying. The mistake was innocently made by me.

Q. Do you recollect also from your own personal knowledge of the vote cast at that election that Curtin received but seventy votes?—A. I do.

ROBERT F. BARBER.

Sworn and subscribed before me this 18th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

SAMUEL MARSHALL sworn and examined.

Question. Please state your age and residence.—Answer. About sixty-eight; reside in White Deer Township, Union County, Pennsylvania.

Q. Were you the return judge from Union County appointed to carry the Congressional return of the election to Bellefonte immediately after the election of November 5, 1878? and if so, state whether you performed that duty.—A. I was; and I took the return to Bellefonte.

Q. Did you meet the other return judges from the several counties comprising the twentieth Congressional district, at Bellefonte?

(Objected to for the reason that the record made by the return judges for said district is the best evidence, and the proceedings before the board cannot be shown without proof that said record is lost.)

A. I did.

Q. Had you with you, as return judge, a certificate made by Hon. Joseph C. Bucher, president judge of the court of common pleas of Union County, that a mistake had been made in the official count of the west ward of Mifflinburg of seven (7) votes in favor of Curtin?

(Objected to for the reason that said certificate was not an official act of the said Hon. Joseph C. Bucher, and not evidence for any purpose.)

A. I had.

Q. Did the return judges who met at Bellefonte on or about the 12th of November, 1878, correct the mistake in said official return from Union County?—A. They did not correct the mistake.

Q. Did you present the certificate of Judge Bucher at said meeting?—A. I did.

Q. Did you ask to have the official return from Union County corrected so as to show the actual vote cast for Curtin?—A. I did; but they refused to correct it.

Q. By refusing to correct said error, state whether or not A. G. Curtin was credited at said conference with fourteen hundred and fifty-five (1,455) votes from Union County.—A. He was.

Q. In that return, was he not credited with seventy-seven (77) votes from the west ward of Mifflinburg?

(Objected to for the reason that the return itself will show how many votes was credited to A. G. Curtin from the west ward of Mifflinburg.)

A. He was.

Counsel for contestant, reserving all legal exceptions, proceeds to cross-examine:

Q. How do you know that A. G. Curtin was credited with seventy-seven (77) votes from the west ward of the borough of Mifflinburg in the return presented by you to the board of the return-judges at their meeting in Bellefonte?—A. All I know about it was that the returns were placed in my hands by Judge Bucher. His signature was to it.

Q. Did the return which was made out by the court on the seventh day of November, A. D. 1878, and which was given to you as the return-

judge from Union County, show the mistake, or did the paper which was afterwards made out by Judge Bucher and given to you, and which you was requested to present with your return, show the mistake?—A. The official return did not show the mistake, but the certificate of Judge Bucher did.

Q. Then all that you know in relation to any mistake was what you learned from the paper given you by Judge Bucher?—A. Yes, sir; that is all.

SAM'L MARSHALL.

Sworn and subscribed before me this 18th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

Hon. JOSEPH E. BUCHER sworn and examined.

Question. Please state your residence and official position.—Answer. Joseph C. Bucher; residence, Lewisburg, Union County, Pennsylvania; my official position is president judge of the twentieth judicial district, composed of the counties of Union, Snyder, and Mifflin, in the State of Pennsylvania.

Q. What judicial duties did you perform in the County of Union on the 7th day of November, 1878, in reference to the election?—A. The law cast upon me as the president judge, resident in the County of Union, to compute the vote of the entire county, at twelve o'clock, at the courthouse, on the 7th day of November, 1878. The law required the judges of the respective election districts in the county to carry the returns of the election in their respective districts to the prothonotary of the county to be filed in his office. This was done, and the prothonotary, on the day appointed by the law, brought them into open court before me for computation, and I computed the vote according to law.

Q. Please state whether you signed, as president judge of said court, the Congressional return marked Exhibit D. B. M. No. 4.—A. I did.

Q. What error did you discover in regard to the return of the vote cast for Congress in the west ward of Mifflinburg, and what measures did you take to correct the same after you discovered that the error had not been corrected in the Congressional return? Please state the same fully.

(Counsel for contestant objects, first, that if there was any error in the return from the west ward of the borough of Mifflinburg, it was the duty of the court to correct the same at the time fixed by law for computing the votes cast in the county of Union. If this was not done at the time, it is now too late to correct it, and besides, the only tribunal which can correct it is the court of common pleas of Union County.)

A. I did discover an error in the Congressional return in the west ward of Mifflinburg Borough. The error was discovered in this way: The law authorized me to appoint assistants to compute the vote. I appointed the prothonotary and two clerks. I held in my hand one of the returns, the prothonotary the other, a duplicate. As I announced the vote he compared it with his, and the clerks took it down. In computing the returns of this borough, I held in my hand the tally-sheet, the prothonotary the triplicate return. When I announced the vote from the paper I held, the prothonotary stated that it differed from his in the vote for Congress in this: My return gave to Andrew G. Curtin seventy (70) votes; to Seth H. Yocum eighty (80) votes; whilst the return that the prothonotary held gave Andrew G. Curtin seventy-seven (77) votes, and Seth H. Yocum eighty (80) votes; thus making a discrepancy of seven (7) votes between the tally-paper and the triplicate return.

The law made it my duty to ascertain where the error was and to correct it. The triplicate return is made from the tally-paper, which is the original. I ascertained from a computation of the vote from the tally-paper, that Andrew G. Curtin had received only seventy (70) votes, and that the election officers in giving the result as taken from the tally-paper had allowed him seventy-seven (77) votes, or seven (7) more than he actually received. I therefore directed the clerks to allow Andrew G. Curtin seventy (70) votes, and Seth H. Yocum eighty (80) votes. The returns were then all computed and certificates made out and handed to me for signature. I was under the impression that the correction had been made as ordered until, a day or two subsequent to the count, I examined the matter and discovered that the clerks had neglected to make the correction as ordered. I had already appointed Samuel Marshall, Congressional return judge, and had given him a certificate showing the vote for Congress in the county of Union. The prothonotary had already mailed the result of the count to Harrisburg, as required by law. I was mortified at the mistake that had been made, but when I ascertained that the error would not change the result in the district, I concluded not to reopen the count but contented myself with giving Samuel Marshall, the return judge, a paper setting forth that an error had been made in the count, and that Andrew G. Curtin had actually received seven (7) votes less in the west ward of Mifflinburg than the original certificate disclosed. I am informed that the board of Congressional return judges refused to count the votes from the last paper given to Mr. Marshall, but counted from the first certificate given him, which gave Andrew G. Curtin seven (7) votes more than he had actually received. The official majority of Seth H. Yocum, in Union County, over Andrew G. Curtin, according to a correct account of the votes cast, was seven hundred and seventy-two (772), instead of seven hundred and sixty-five (765) votes, as counted by the Congressional return judges.

JOSEPH C. BUCHER.

Sworn and subscribed before me this 18th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

(Counsel for contestee offer in evidence a certified copy of the sixty day assessment list made by the assessor of the west ward of the borough of Lewisburg, Union County, Pennsylvania, for the year 1878, marked Exhibit D. B. M. No. 9; this certified copy to be followed by the testimony of Peter Hursh, clerk to the commissioners, and which will be further authenticated by proof at common law, making it also a sworn copy, and also proof that the original registry-list of voters of said ward for said year is mislaid or lost, and a certified copy thereof cannot be produced.)

Counsel for contestant makes the following objections to the paper offered in evidence marked Exhibit D. B. M. No. 9: 1st. Said paper is not certified according to act of Congress; 2d. Peter Hursh is simply the clerk of the commissioners of Union County, and as such clerk has no authority, under the laws of Pennsylvania, to use a seal, and besides the seal attached to said paper is the seal of the commissioners and not of the clerk; 3d. Said copy of the sixty-day assessment is not a copy of the list, as furnished to the election board, for the election held November 5, 1878.)

CHARLES H. HASSONPLUG recalled.

Question. Will you please produce the original list of voters for the

west ward of the borough of Lewisburg, at the general election held November 5, 1878?—Answer. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence, and marked Exhibit D. B. M. No. 10.)

Q. Is Exhibit D. B. M. No. 10 a true and correct copy of said original list of voters so full and entire as the same remains on file in your office?—A. It is.

C. H. HASSONPLUG.

Sworn and subscribed before me this 18th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

WILLIAM LLOYD sworn and examined.

Question. What is your name, age, and place of residence?—Answer. William Lloyd; I will be twenty-two on April 30, 1879; I reside with John A. Gundy, in East Buffalo Township, Union County, Pennsylvania.

Q. Did you vote at the general election held on the 5th day of November, 1878?—A. Yes, sir; I did.

Q. Where did you so vote?—A. At the west ward in the borough of Lewisburg, Union County, Pennsylvania.

Q. Did you vote on your age at said election?—A. Yes, sir.

Q. Were you sworn by the election board of said election district before voting?—A. I think I was.

Q. Did you subscribe a written or partly written and partly printed affidavit setting forth your qualifications and right to vote before so voting?—A. No, sir; I did not.

Q. Did you vote for member of Congress at said election held on November 5, 1878?—A. Yes, sir; I did.

Q. For whom did you so vote for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. You were a resident of said ward on November 5, 1878, and had a right to vote in said ward, had you not?

(Counsel for contestee object to the form of the question and to the opinion of the witness as to his right to vote.)

A. Yes, sir.

Q. How long had you been living in the west ward of the borough of Lewisburg?—A. I don't remember how long. I had been living there about two years before the election held November 5, 1878.

Re-examined:

Q. Were you not living with Kelly Nogle, in Kelly Township, Union County, Pennsylvania, for several months immediately preceding November 5, 1878?—A. I was living there from seeding time up until about two weeks ago; I mean seeding time in the fall of 1878.

Q. What month is seeding time?—A. September.

Recross-examined:

Q. Were you residing in Kelly Township, Union County, with Kelly Nogle, as a place of residence, or were you simply working for him?—A. I was simply working for him.

Q. Where was your home or place of residence on November 5, 1878, and where had it been for more than two months prior to that date?—A. In Lewisburg, west ward.

Q. Did you go into Kelly Township with the intention of changing your place of residence, or simply for the purpose of returning to your father's house when your job there was over?—A. I intended to go back. I did not intend to change my residence.

Q. Did you make all the proof required by the election board when you voted?—A. Yes, sir. They swore me and then they took the vote.

Q. Where is your home or place of residence now?—A. In the west ward of the borough of Lewisburg.

Q. You say that you reside in the west ward of the borough of Lewisburg and have your home with your father. When you get work to do you go anywhere to do it, and after the work is over you return home to your father's, in Lewisburg, and reside with him, always claiming his house your place of residence, which is in the west ward of Lewisburg, do you not?—A. Yes, sir. When I have no work I come home. When I have work, I work. I have work most all of the time. They do my washing at home.

Re-examined:

Q. Did you work for Kelly Nogle by the day or by the month in the fall of 1878?—A. By the month.

Q. For how long a time did you hire with him?—A. I did not hire for any number of months.

Q. What wages was he to pay you?—A. He was to pay me ten dollars a month and board me.

Q. Did you board and lodge with Kelly Nogle all the time you worked for him?—A. Yes, sir.

Q. Did you not work for Kelly Nogle by the month, and board and lodge with him from the time you went there, in September, 1878, until two weeks ago?—A. Yes, sir.

Q. Then you did not return to your father's house until about the first of March, 1879; or did you not go from Kelly Nogle's to John A. Gundy's, in East Buffalo Township, Union County, Pennsylvania?—A. I went from Kelly Nogle's to John A. Gundy's, and not to my father's.

Recross-examined:

Q. Why did you go direct from Kelly Nogle's to John A. Gundy's?—A. John A. Gundy wanted me to help him fix for his moving and help him haul ice. Gundy met me in Lewisburg and hired me.

WILLIAM LLOYD.

Sworn and subscribed before me this 18th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

Adjourned March 18, 1879, at 6.30 o'clock p. m., to meet at the same place March 19, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,
Notary Public.

March 19, 1879, parties met pursuant to adjournment.

DANIEL MILLER sworn and examined.

Question. What is your name and where do you reside?—Answer. My name is Daniel W. Miller. I reside in the north ward of the borough of Lewisburg.

Q. Where did you reside on the 5th day of November, 1878; and if you resided in the north ward of the borough of Lewisburg at that time, how long had you resided there before that date?—A. I resided in the

north ward of the borough of Lewisburg on that date. On the 16th day of September, 1878, I went to live at Henry Frick's, in the north ward.

Q. What was your age on the 5th day of November, 1878?—A. As near as I can tell the way my father told me, I would have been twenty-one June 26, 1878.

Q. Do you know of any family Bible containing a record of the date of your birth and of the members of your father's family, and, if so, where is said family record?—A. There is such a family Bible containing such family record and the date of my birth. When I last saw it, it was at my uncle's, James Dunlap, who resides near the Winfield furnace.

Q. Did you vote in the north ward of the borough of Lewisburg at the general election held November 5, 1878, for Member of Congress?—

A. Yes, sir.

Q. For whom did you vote for Member of Congress?—A. I voted for Andrew G. Curtin.

Q. Did you vote at said election on your age?—A. Yes, sir.

Q. Were you on the registry-list of voters of the north ward of the borough of Lewisburg for 1878?—A. No, sir; I don't think I was.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit to facts stated by you, setting forth your qualifications and right to vote before so voting?—A. No, sir; I did not.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.

Q. How long did you live in the north ward of the borough of Lewisburg before going to live with Henry Frick?—A. About two weeks.

Q. Then you came into the north ward in Lewisburg on September 2, 1878?—A. I did.

Q. The election board administered to you an oath as to your age before you deposited your vote, did they not?—A. They did.

Q. You stated in your examination-in-chief that you had been 21 years of age on the 26th day of June A. D., 1878, according to what your father had told you; now state the language used by your father when he so informed you and all about it.

(Counsel for contestee objects because not cross-examination; 2d. The witness was not inquired of concerning any language of the father of the witness or as to any conversation between witness and his father; 3d. Irrelevant.)

A. In the year 1876 my father told me that I would have a vote at the next governor's election; to be sure of it I made a memorandum of it, but I lost it about six months ago.

Q. Was the election held November 5, 1878, a governor's election?—A. It was.

Q. Is the family record in the family Bible in the handwriting of your father and is there any errors in said record?—A. I cannot positively swear that it is my father's handwriting; it does not look like his writing; are several kinds of writing in the Bible; I do not know who wrote any of it; I know of one error in the record in the Bible; there was a mistake of two years in relation to the birth of my sister which he corrected on the day of her funeral; it was not corrected in the Bible, but he counted it up on the day of the funeral; he wanted to give her age to the preacher who preached her funeral-sermon and he then counted up her age, but did not correct it in the Bible record.

Q. If the record kept in the family Bible makes you younger than twenty-one years on June 26, 1878, is or is it not an error?

(Counsel for contestee objects; 1st. Because the opinion of the witness as to the correctness of the family record is not evidence; 2d. The record cannot be varied or falsified by the declaration of the witness.)

A. I don't know whether it is an error or not.

Q. Do you believe it to be an error?

(Opinion of witness objected to.)

A. From what my father told me I think it is an error.

Q. How far back can you recollect?—A. I can mind in 1861 when the war broke out; in the fall of 1862 my brother enlisted at Lewisburg and my father come to Lewisburg and brought him home, my brother not being of age; in 1862 I was large enough to carry my father's dinner to him at his work; I was then wearing pants buttoned to a waist.

Re-examined:

Q. When did your father die?—A. November 12, 1876.

Q. Did this family Bible you speak of remain in your father's family from your earliest recollection up to the time of your father's death?—

A. I saw the family Bible for the first time about nine years ago. My father kept it locked up, and I never saw it except when my father used it. He kept it in his desk. The desk was not locked, but we did not dare open it. The Bible was in my father's family until about four weeks before he died, as near as I can recollect. It then went into the possession of my uncle, James Dunlap.

Q. What reason have you for believing that you recollect the outbreak of the war in 1861?—A. I recollect it because my brother wanted to enlist, and at first they would not take any colored troops. In 1862 he enlisted.

Q. When you left Laurelton in September, 1878, and came to Lewisburg, to whose house did you come, and for what purpose?—A. I was out at Bell's. I stopped at Bell's. I came to get work. I intended to go to Clearfield.

Q. Where was Bell's house at which you stopped, and how long did you stay there before going to Mr. Frick's?—A. The house is over by the seminary, between Sixth and Seventh streets, south of Market street, in the borough of Lewisburg. I came to Bell's September 2, 1878, and staid there until September 15, 1878, when I went to Frick's.

Recross-examined:

Q. Where were you born, and where have you lived since you were born?—A. I was born in Hartley Township, Union County, Pennsylvania, and have lived in Pennsylvania all my life.

Re-examined in chief:

Q. You did not reside, then, in the north ward of the borough of Lewisburg two months preceding the election held November 5, 1878?

(Question objected to as leading.)

A. No, sir.

DANIEL W. MILLER.

Sworn and subscribed before me this 19th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,

Notary Public.

WILLIAM H. WOLFE sworn and examined.

Question. What is your name, age, and place of residence?—Answer. William H. Wolfe; aged forty-two years; reside in the north ward of the borough of Lewisburg; resided in that ward about three years.

Q. Are you acquainted with a person named Marks Hart?—A. I am.

Q. Does Marks Hart reside in the north ward of the borough of Lewisburg? When did he come there, and how long has he resided therein, if at all?—A. He does not live there now. Can't tell when he came there. He boarded at Mrs. Alexander Hutchison's in the north ward; can't say how long. He left town. I do not know where he is now.

Q. State whether you had any conversation with Marks Hart on the next day after the general election held November 5, 1878. State whether he told you for whom he voted for Member of Congress, and what he stated to you relative to his having a right to vote at said election.

(Counsel for contestant objects to witness stating any conversation which he had with Marks Hart in relation to the right of said Marks Hart to vote, as said Marks Hart was regularly upon the registry-list, duly assessed, and his taxes paid by himself, and from the proof already in evidence he was a resident of said north ward, and as such, had a right to vote. Any subsequent conversation would not alter or abridge a right to vote for Congress. Second. Marks Hart himself would be the best witness, and in the absence of evidence that diligent search was made for him and that he could not be found, witness cannot state any conversation had with him. Third. Irrelevant.

A. He said he was a Democrat and voted the Democratic ticket entire, and he said (not knowing who I was) that Wolfe's friends wanted him to vote for Charles S. Wolfe, for the legislature, but that he would not vote for any Republican. He said that he had either left or mislaid his naturalization papers; that he did not have them with him, and that as he was a soldier of the war, he should not think they ought to deprive him of his vote. My impression is that he said he was naturalized in Ohio, and had left his papers there. He said that the election board of the north ward of the borough of Lewisburg objected to his vote because he did not have his naturalization papers with him.

Q. What business did Marks Hart follow when here, and have you tried to ascertain his whereabouts?—A. He was a peddler for Koch and Strouse. I have asked Koch and Strouse, and was not able to find out where he has gone.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.

Q. Then, from what Marks Hart told you, he had a right to vote?

(Counsel for contestee objects to the opinion of the witness as to Hart's right to vote. That will depend on the proven facts.)

A. He said he had a right to vote.

Q. Did he tell you for whom he voted for Congress?

A. No, sir.

Q. Did he tell you that he was a naturalized citizen of the United States?—A. He said he had papers to that effect, but he did not have them with him.

Q. You were angry at him during this conversation which you have just detailed, and were going to smack his mouth, were you not?—A. I was not angry at him, but I told him if he continued to abuse my brother, I would slap his mouth.

(Counsel for contestee object to the above question and answer as being immaterial and irrelevant.)

Q. There were parties annoying or abusing Marks Hart at the time this conversation, as alleged, took place, were there not?—A. There were parties twitting him. Remarks were made which I did not think

were proper. I said he had no right to vote, and he claimed that he had a right to vote, and this was what led to the conversation.

Re-examined in chief:

Q. Who was the only Democratic nominee for Congress in this district, and what did Hart say about voting the whole ticket?—A. Andrew G. Curtin was the only Democratic nominee in this district for Congress; Hart said he voted the whole Democratic ticket and would not vote for any Republican.

WM. H. WOLFE.

Sworn and subscribed before me this 19th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

E. L. ANGSTADT sworn and examined.

Question. What is your name, age, and place of residence?—Answer. E. L. Angstadt; will be twenty-two June 20, 1879; reside in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878, and if in the north ward of said borough, how long previous to said date?—A. In the north ward of the borough of Lewisburg, and resided there about eight or nine years.

Q. Did you vote in the north ward of the borough of Lewisburg at the general election held November 5, 1878, for member of Congress?—A. Yes, sir.

Q. Were you on the registry list of voters of the north ward of the borough of Lewisburg for the year 1878?—A. No, sir.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit to facts stated by you, setting forth your qualifications and right to vote before so voting?—A. I did not.

Q. For whom did you vote for member of Congress at said election?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to competency and relevancy of the testimony, proceeds to cross-examine:

Q. Where were you born?—A. In Lewisburg, Union County, Pennsylvania, and have resided all my life there.

Q. State what occurred when you voted in relation to your right to vote.

(Counsel for contestee object, that witness not having been registered and not having sworn to and filed the affidavit required by law, any evidence tending to show that he was in other respects entitled to vote is immaterial and irrelevant.)

A. I went to the window and offered my vote. The election board told me to come inside; father told them that I was voting on age; they then took my vote and nothing more was said. There was no objection to my vote.

Q. Had you been a resident of the north ward of the borough of Lewisburg, Union County, Pennsylvania, for more than two months preceding the election held November 5, 1878?—A. Yes, sir; I had.

Q. Had the assessor for the north ward called upon you or at your father's house in order that you might be registered?

(Counsel for contestee object to the question because immaterial, and is no legal excuse for his not being on the registry-list.)

A. He did not call me; I do not know whether he called at my father's house or not.

Re-examined in chief:

Q. As we understand you, you voted on age and you were not sworn by the election board at all?—A. I did vote on age and I was not sworn at all.

E. L. ANGSTADT.

Sworn and subscribed before me this 19th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

HENRY CARP sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Henry Karpf, and is sometimes spelled and written "Carp" and "Carpf"; my age is twenty-eight years; I reside in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

(Counsel for contestant objects to any further testimony from this witness, for the reason that the notice served on the contestant does not contain the name of witness, but does contain the name of Henry Carp, and neither contestant nor his counsel knew that the person mentioned in the notice as Henry Carp was the witness.)

Q. Where did you reside on the 5th day of November, 1878, and, if in the north ward of said borough, how long previous to said date?—A. I resided in the north ward of borough of Lewisburg, and lived there about four months preceding said date.

Q. Did you vote in the north ward of the borough of Lewisburg at the general election held November 5, 1878, for member of Congress?—A. Yes, sir.

Q. Were you on the registry-list of voters of the north ward of the borough of Lewisburg for the year 1878?—A. I can't tell you that.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit of facts stated by you, setting forth your qualifications and right to vote, or that you had paid a State or county tax within two years, which was assessed within two months and paid at least one month before the election, before so voting?—A. No, sir; I did not swear to anything.

Q. For whom did you vote for member of Congress at said election?—A. I voted the whole Democratic ticket; I think I voted for Andrew G. Curtin for Congress.

(Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Had you paid a State or county tax within two years previous to November 5, 1878, which had been assessed at least two months before said date and paid at least one month before said date; and did you have a receipt for the same, and did you produce said receipt and exhibit it to the election board when you voted on November 5, 1878?

(Counsel for contestee object, because if witness was disqualified by reason of not being on the registry-list of voters and failed to file the affidavit of payment of tax required by law, the evidence now sought to be given by witness cannot remove such disqualification and render him a legal voter.)

A. I had paid a State or county tax within two years, which had been assessed at least two months and paid at least one month before November 5, 1878, and I produced the receipt and showed it to the board when I voted.

Re-examined in chief:

Q. How did you happen to show this receipt to the election board?—A. Some of the election board asked me before I voted whether I had

paid my tax. I told them that I had and showed them my receipt. The election board did not administer any oath to me. I then voted, there being no further objection.

HENRY KARPFF.

Sworn and subscribed before me this 19th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

Adjourned March 19, 1879, to meet at the same place on Tuesday, March 25, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,
Notary Public.

March 25, 1879, parties met pursuant to adjournment.

HENRY KAHLE sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Henry Kahle. I was twenty-one years of age July 9, 1878. I reside in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, A. D. 1878, and if in the north ward of said borough for how long a time previous to said date?—A. I lived in the north ward of the borough of Lewisburg for eight years last past, and lived there on November 5, 1878.

Q. Did you vote at the general election held on the 5th day of November, 1878, in said ward, for member of Congress?—A. I voted the whole Democratic ticket. I did vote at that election.

Q. Was your name on the registry-list of voters of said ward for the year 1878?—A. Not as I know.

Q. Did you vote on your age at said election?—A. Yes, sir; I did.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit to facts stated by you, setting forth your qualifications and right to vote before so voting?—A. No, sir; I did not.

Q. Did the election board swear you at all before you voted?—A. They did not.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Did or did not your father inform the election-board when you voted that you were above the age of twenty-one years, and that you were entitled to vote in the north ward of the borough of Lewisburg?—A. Yes, sir; he did.

Q. Do you know the name of the person for whom you voted for member of Congress on November 5, 1878?—A. I don't remember for whom I voted.

Q. Did you read the ticket which you voted on November 5, 1878?—A. I did not.

Q. Then you don't know, of your own knowledge, whether the ticket which you voted was the Democratic or Republican ticket?—A. I don't know.

Q. Was there any objection to your vote when you voted on November 5, 1878?—A. There was no objection to my vote, and the board received it.

Re-examined in chief:

Q. When you voted did you intend to vote, and do you believe that you voted, the whole Democratic ticket?

(Counsel for contestant objects to an answer to the question, as the intention or the belief of the witness as to how he voted is not evidence for any purpose. It is simply what he did vote or for whom he voted that is evidence.)

A. I wanted to vote the Democratic ticket, but I don't know whether I voted the Democratic ticket or not.

Q. Did any person give you the ticket which you voted, and if so, who?—A. The ticket which I voted was given to me by George S. Matlock.

Recross-examined:

Q. What is the politics of George S. Matlock, the person from whom you received your ticket?—A. From what I heard other people say he was a Republican once, but I don't know what his politics are now.

Q. Then you don't know how or for whom you voted?—A. No; I do not.

HENRY KAHLE.

Sworn and subscribed before me this 25th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

PETER HURSH affirmed and examined.

Question. What is your name, age, and place of residence?—Answer. Peter Hursh. My age is seventy-one years past. My residence is Lewisburg, Union County, Pennsylvania.

Q. What is your official position?—A. I am clerk of the commissioners for Union County, Pennsylvania.

Q. Have you the original registry-lists of voters and sixty-day assessment-lists for the respective election districts of Union County for the year 1878 in your official custody?—A. I have.

Q. Will you please produce the original list of registered voters of the north ward of the borough of Lewisburg for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 1, a true and correct copy of said original list of said registered voters for said north ward of the borough of Lewisburg for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the original list of voters of the west ward of the borough of Lewisburg for the year 1878, as shown by the sixty-day assessment made by the assessor of said district, on file in the commissioner's office of said county?—A. I herewith produce the assessment of the west ward of the borough of Lewisburg for the year 1878.

Q. Where is the original list of registered voters for the year 1878 of the west ward of the borough of Lewisburg, Union County, Pennsylvania?—A. It is either mislaid or lost. I made diligent search for it and was unable to find it.

Q. Is Exhibit D. B. M., No. 9, a true and correct copy of said original assessment for the year 1878, made by the assessor of the west ward of the borough of Lewisburg for 1878, so full and entire as the same remains on file in the commissioners' office in said county?—A. Yes, it is.

Q. Will you please produce the original list of registered voters of the west ward of the borough of Mifflinburg for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 3, a true and correct copy of said original list of said voters for said west ward of the borough of Mifflinburg

for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the original list of registered voters of Union Township, in the County of Union, for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 11, a true and correct copy of said original list of registered voters for said township of Union for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the list of original registered voters for the township of East Buffalo, in the county of Union, for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 12, a true and correct copy of said original list of registered voters for said township of East Buffalo for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the original list of registered voters for the township of Buffalo, in the county of Union, for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 13, a true and correct copy of said original list of registered voters for said township of Buffalo, in Union County, for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the original list of registered voters for the township of White Deer, in the county of Union, for the year 1878?—A. I will, and herewith produce it.

Q. Is Exhibit D. B. M., No. 14, a true and correct copy of said original list of registered voters for said township of White Deer, in Union County, for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

(Counsel for contestee offer in evidence certified copies aforesaid marked Exhibits D. B. M., No. 1, Exhibit D. B. M., No. 9, Exhibit D. B. M., No. 3, Exhibit D. B. M., No. 11, Exhibit D. B. M., No. 12, Exhibit D. B. M., No. 13, and Exhibit D. B. M., No. 14.)

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.

Q. When was the assessment of voters for the west ward of the borough of Lewisburg, of which Exhibit D. B. M., No. 9, is claimed to be a copy, made?—A. The assessment was made in 1878.

Q. Are Exhibits D. B. M., Nos. 1, 9, 3, 11, 12, 13 and 14, in your own handwriting?—Yes, sir.

Q. Are these copies marked Exhibits D. B. M., Nos. 1, 9, 3, 11, 12, 13, and 14, similar copies to the registry of voters as furnished to the election officers of the districts to which these copies pertain?—A. Yes, sir; they are.)

(The above exhibits marked in evidence and made part of the record subject to the same objections as were made to Nos. 1, 9, and 3, heretofore.)

PETER HURSH.

Affirmed and subscribed before me this 25th day of March A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

CHARLES F. SHAFFER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. Charles F. Shaffer; age twenty-one years; and a resident of Lewisburg, Union County, Pennsylvania.

Q. What is your official position?—A. I am deputy prothonotary of the court of common pleas, and deputy clerk of the several other courts of Union County.

Q. Have you the original list of voters for the respective election districts of Union County who voted at the general election held November 5, 1878, in your official custody?—A. I have.

Q. Will you please produce the original list of voters for Union Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 15.)

Q. Is Exhibit D. B. M., No. 15, a true and correct copy of said original list of voters for Union Township, so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for East Buffalo Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 16.)

Q. Is Exhibit D. B. M., No. 16, a true and correct copy of said original list of voters for East Buffalo Township, so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for White Deer Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 17.)

Q. Is Exhibit D. B. M., No. 17, a true and correct copy of said original list of voters for White Deer Township so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for Gregg Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 18.)

Q. Is Exhibit D. B. M., No. 18, a true and correct copy of the original list of voters for Gregg Township, so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for Hartley Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 19.)

Q. Is Exhibit D. B. M., No. 19, a true and correct copy of said original list of voters for Hartley Township, so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for Buffalo Township, Union County, at the general election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of voters offered in evidence and marked Exhibit D. B. M., No. 20.)

Q. Is Exhibit D. B. M., No. 20, a true and correct copy of said original list of voters for Buffalo Township, so full and entire as the same remains on file in your office?—A. It is.

Q. Will you please produce the original list of voters for the North Ward of the borough of Lewisburg, Union County, Pennsylvania, for

the election held November 5, 1878?—A. I will, and herewith produce it.

(Certified copy of said list of voters of north ward of the borough of Lewisburg, as proven by C. H. Hassenplug, marked Exhibit D. B. M., No. 2 already in evidence.)

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Have you a certificate of appointment as deputy prothonotary?—

A. Yes, sir; I have.

Q. Are papers marked Exhibits D. B. M., Nos. 15, 16, 17, 18, 19, 20, in your own handwriting?—A. No, sir; they are in the handwriting of John Reber, except one. They are signed by C. H. Hassenplug.

Q. Did you compare these exhibits with the originals?—A. I did, and found them to be correct.

(Counsel for contestant objects to papers claimed to be certified copies of lists of voters of the townships of White Deer, Buffalo, and East Buffalo, marked Exhibits D. B. M., Nos. 16, 17, and 20, for the reason that said papers are not certified according to act of Congress. Also objects to papers claimed to be certified copies of lists of voters for the townships of Hartley, Union, Gregg, and East Buffalo, polled November 5, 1878, for the reason that the answer of Seth H. Yocum, the contestee, to the notice of contestant contains no allegations as to frauds, informalities or irregularities in the aforesaid election districts of Gregg, Union, Hartley, and East Buffalo as is required by the act of Congress.)

(Exhibits in evidence and made part of the record under the above objections.)

Re-examined in chief:

Q. Are the signatures to the above-named exhibits in the proper handwriting of Charles H. Hassenplug, prothonotary of Union County?—A. They are.

Q. Where is Charles H. Hassenplug, the prothonotary?—A. He is absent from home.

CHARLES F. SHAFFER.

Sworn and subscribed before me this 25th day of March, A. D, 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

SAMUEL LEPLEY sworn and examined.

Question. What is your name, age, and place of residence?—Answer. Samuel Lepley; was twenty-two years of age on March 16, 1879. I reside in Union Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee to the notice of contest contains no allegations as to fraud, informalities, or irregularities in the election district of Union Township, where witness resides. And as it cannot be in rebuttal for the reason that the contestant did not take any testimony in chief in relation to the election for member of Congress held in said township November 5, 1878, the act of Congress requiring that the contestee must allege in his answer to notice of contest what frauds or irregularities he expects to prove in the election districts.)

Q. Where did you reside on the 5th day of November, 1878, and if in Union Township, how long previous to said date?—A. I lived in said township on the 5th day of November, 1878, and I resided in Union Township all my life.

Q. Did you vote in Union Township at the general election held in 1878 for member of Congress?—A. Yes, sir.

Q. Did you vote on age?—A. Yes, sir.

Q. Did you swear and affirm to and subscribe a written or partly written and partly printed affidavit of facts stated by you, setting forth your qualifications and right to vote, before so voting?—A. No, sir; I did not.

Q. For whom did you vote for member of Congress at said election?—A. I voted for Andrew G. Curtin.

(Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.)

Q. Were you sworn by the board as to your age and residence?—A. Yes, sir.

Q. How do you know that you voted for Andrew G. Curtin?—A. Because I voted the Democratic ticket, and read his name on the ticket.

SAMUEL LEPLEY.

Sworn and subscribed before me this 25th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

NEWTON LONG sworn and examined.

Question. What is your name, age, and place of residence?—Answer. Newton Long; aged twenty-one years April 3, 1878; reside in Union Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee to the notice of contestant contains no allegations as to the township of Union, and is not in rebuttal.)

Q. Where did you reside on the 5th day of November, 1878, and if in Union Township, how long did you reside there prior to that date?—A. I lived in Union Township on the 5th day of November, 1878, and have lived there about thirteen years.

Q. Did you vote at the general election held November 5, 1878, in said township, for member of Congress?—A. Yes, sir.

Q. Was your name on the registry-list of voters for said township for the year 1878?—A. I don't know.

Q. Did you vote on your age at said election?—A. Yes, sir.

Q. Did you swear and affirm to and subscribe to a written or partly printed and partly written affidavit, setting forth your qualifications and right to vote, before so voting?—A. No, sir; I did not.

Q. For whom did you vote for member of Congress at said election?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Were you sworn by the board before you voted?—A. Yes, sir.

Q. Did you state to the board your age, and how long you resided in Union Township?

(Counsel for contestee object, because the witness not being a registered voter, and not having filed the affidavit required by law, cannot now qualify.)

A. Yes, sir.

NUTON LONG.

Sworn and subscribed before me this 25th day of November, A. D. 1879.

[SEAL.]

D. B. MILLER,
Notary Public.

SAMUEL HESS sworn and examined.

Question. What is your name, age, and place of residence?—Answer. Samuel Hess; I was twenty-one (21) years of age June 28, 1878; I reside in Union Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee to the notice of contestant contains no allegations as to the township of Union, and is not in rebuttal.)

Q. Where did you reside on the 5th day of November, 1878, and if in Union Township, how long did you reside there previous to that date?—A. I resided in Union Township, Union County, Pennsylvania, on November 5, 1878; I was born in Union Township; I resided there six or seven years prior to said date.

Q. Did you vote at the general election held November 5, 1878, for said township for member of Congress?—A. Yes, sir, I did.

Q. Did you vote on your age at said election?—Yes, sir.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit to facts stated by you, setting forth your qualifications and right to vote, before so voting?—A. No, sir, I did not.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the relevancy and competency of the testimony, proceeds to cross-examine:

Q. Were you sworn by the board before you voted?—A. No, sir, I was not.

Q. How does it come that you were not sworn by the board before you voted?—A. The judge of election knew my age and said it was all right; I had been residing with the judge of the election (R. M. Bennett) for some time.

Q. What is the politics of R. M. Bennett, who was judge of the election?—A. He is a very strong Republican. He is married to my sister.

(Counsel for contestee object to the foregoing questions and answers because they are irrelevant and immaterial.)

SAMUEL HESS.

Sworn and subscribed before me this 25th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

PETER HURSH recalled.

Question. Will you please produce the original list of registered voters of the township of Gregg, county of Union, for the year 1878?—Answer. I will, and herewith produce it.

(Certified copy of said original list of registered voters offered in evidence and marked Exhibit D. B. M. No. 21.)

Q. Is Exhibit D. B. M. No. 21 a true and correct copy of the original list of registered voters of Gregg Township, Union County, for the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

Q. Will you please produce the original list of registered voters for the township of Hartley, in the county of Union, for the year 1878?—A. I will, and herewith produce it.

(Certified copy of said original list of registered voters offered in evidence, and marked Exhibit D. B. M. No. 22.)

Q. Is Exhibit D. B. M. No. 22 a true and correct copy of said original list of registered voters of said township of Hartley, Union County, for

the year 1878, so full and entire as the same remains on file in the commissioners' office?—A. It is.

PETER HURSH.

Sworn and subscribed before me this 25th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

Counsel for contestee now offers in evidence exhibit marked D. B. M. No. 21, and Exhibit D. B. M. No. 22.

Counsel for contestant objects to the admission in evidence of Exhibits D. B. M. Nos. 21 and 22, purporting to be certified copies of the registry of voters of the townships of Gregg and Hartley for the year 1878, as there is nothing contained in the answer of the contestee to the notice of contest given by the contestant alleging any fraud, informality, or irregularity in the said townships of Hartley and Gregg, and is not in rebuttal.

Exhibit D. B. M. No. 21 and Exhibit D. B. M. No. 22 in evidence, and made part of the record under the above objection.

Adjourned March 25, 1879, to meet at the same place on Wednesday, March 26, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,
Notary Public.

March 26, 1879, parties met pursuant to adjournment.

G. W. WALLS sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is George W. Walls; age, 35 years; and reside in the north ward of the borough of Lewisburg, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878, and if in the north ward of the borough of Lewisburg, Union County, how long did you reside there previous to that date?—A. I lived in the north ward of the borough of Lewisburg on that date, and resided there for about twelve years prior to November 5, 1878.

Q. Did you vote in said ward at the general election held November 5, 1878, for member of Congress?—A. I think I voted for member of Congress in said ward.

Q. For whom did you vote for member of Congress at said election?

(Counsel for contestant objects to an answer being given by the witness to the question, for the reason that witness being a duly registered and qualified voter of the north ward, as has been shown by the contestee, witness being a legal voter is not required to state for whom he voted.)

A. I voted for Andrew G. Curtin for member of Congress.

Counsel for contestant, reserving all legal exceptions to the relevancy and competency of the testimony, proceeds to cross-examine:

Q. Did you give to any voter in the north ward of the borough of Lewisburg, or elsewhere, any money or other valuable thing for the purpose of purchasing his vote for Andrew G. Curtin for Congress?

(Counsel for contestee object because witness has not been asked in regard to his giving money or any valuable thing to influence any voter, and the question propounded to witness is not a proper cross-examination.)

A. I did not.

Q. Was your name upon the registry of voters for the north ward of

the borough of Lewisburg for the election held November 5, 1878?—A. Yes, sir.

G. W. WALLS.

Sworn and subscribed before me this 26th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

WILLIAM BIDDLE sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is William Biddle; I was twenty-one years of age June 22, 1878; I reside in White Deer Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878, and if in White Deer Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I lived in White Deer Township, Union County, Pennsylvania, on November 5, 1878, and resided there for eight or ten years prior to that date.

Q. Did you vote at the general election held in said township, held November 5, 1878, for member of Congress?—A. Yes, sir.

Q. Did you vote on age at said election?—A. Yes, sir.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit to facts stated by you, setting forth your qualifications and right to vote, before so voting?—A. No, sir; I did not.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.

Q. Were you sworn by the board as to your age and place of residence? If so, did you state that you were above the age of twenty-one years?—A. Yes, sir.

Q. Did the election board then receive your vote?—A. Yes, sir.

WILLIAM BIDDLE.

Sworn and subscribed before me this 26th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

JACOB F. HUFF sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Jacob F. Huff; I was 21 years of age June 14, 1878; my residence is White Deer Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878; and if in White Deer Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I lived in White Deer Township, Union County, Pennsylvania, on November 5, 1878, and have resided there all my life.

Q. Did you vote at the general election held in said township on November 5, 1878, for member of Congress?—A. I voted at said election. I think I voted the whole Democratic ticket.

Q. Did you vote on age at said election?—A. Yes, sir.

Q. Did you swear or affirm and subscribe to a written or partly written and partly printed affidavit, setting forth your qualifications and right to vote, before so voting?—A. I do not recollect of subscribing to such affidavit, but I do recollect that the election board swore me before I voted.

Q. For whom did you vote at said election for member of Congress, to

the best of your knowledge?—A. I do not know who were running, but I suppose I voted the Democratic ticket. I did not open the ticket to see.

Q. Who gave you the ticket that you voted?—A. Mr. Plummer.

Q. To what political party does Mr. Plummer belong?—A. He is a Democrat.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. You were sworn by the board as to your age and place of residence, were you not?—A. I was.

Q. Don't you know that Mr. Plummer had left the Democratic party and became a Greenbacker?—A. I don't know that.

Q. How do you know that Mr. Plummer is a Democrat?—A. He told me so, and I heard him arguing.

Q. Did Mr. Plummer, when he handed you your ticket, tell you that it was the Democratic ticket?—A. No, sir.

Q. You don't know of your own knowledge for whom or what kind of ticket you voted?—A. I don't know, because I did not open the ticket.

Q. You did not ask Mr. Plummer to give you a Democratic ticket, did you?—A. I did not ask him for a Democratic ticket; I supposed he had given me one, but I don't know whether he did or not.

Re-examined in chief:

Q. You wanted to vote the Democratic ticket, and to the best of your knowledge you voted the whole Democratic ticket, did you not?—A. I wanted to vote the Democratic ticket, but I am not positive how I voted, as I did not read my ticket.

JACOB HUFF.

Sworn and subscribed before me this 26th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

Adjourned March 26, 1879, to meet at the same place on Thursday, March 27, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,
Notary Public.

March 27, 1879, parties met pursuant to adjournment.

ISAAC F. KEISTER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Isaac F. Keister; I was twenty-two years of age on November 5, 1878; I was born between the hours of 10 and 11 o'clock p. m., November 5, 1856, as appears from the record in our family Bible, and also from what I have been told by my father; I reside in Hartley Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee to the notice of contestant contains no allegations as to the township of Hartley, and is not in rebuttal.)

Q. Where did you reside on the 5th day of November, 1878; and if in Hartley Township, how long did you reside there prior to that date?—A. I resided in Hartley Township, Union County, Pennsylvania, on the 5th day of November, 1878, and resided there about twelve years prior to that date.

Q. Did you vote at the general election held November 5, 1878, in said township, for member of Congress?—A. I did vote at that election, but I don't recollect whether I voted for member of Congress or not.

Q. Did you ever pay a State or county tax in your life-time?—A. I did not.

Q. For whom did you vote at said election for member of Congress?—A. I read the ticket I voted, but I do not remember what name was on the ticket for member of Congress.

Q. Did you vote the Democratic or Republican ticket?—A. I voted the Democratic ticket, surely.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit, setting forth your qualifications and right to vote, before voting?—A. I think I did.

Q. Did you ever see paper of which Exhibit D. B. M. No. 23 purports to be a certified copy? And state whether or not this is the affidavit of which you were sworn on November 5, 1878.

(Original paper shown witness.)

A. I think this is the paper; it looks like it.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Do you know whether you voted the Democratic or Republican ticket? If you do know, please state in full how you know it.—A. I voted the Democratic ticket, I think.

Q. Who gave you the ticket which you voted?—A. It was given me by D. O. Bower, who was postmaster three or four years ago. I don't know what D. O. Bower's politics is.

Q. All the knowledge which you have of the ticket which you voted November 5, 1878, is that it had the name of Cyrus Hoffa on it?—A. Yes, sir.

Q. Did you vote the whole or full ticket?—A. I think I did not vote the whole ticket. All I know is I voted for Cyrus Hoffa.

Re-examined in chief:

Q. To what party do you belong?—A. I made up my mind to be a Democrat before I voted.

ISAAC F. KEISTER.

Sworn and subscribed before me this 27th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

MANASEH AUMILLER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Manaseh Aumiller. I was born March 15, 1857. I reside in Hartley Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee to the notice of contestant contains no allegations as to the township of Hartley, and is not in rebuttal.)

Q. Where did you reside on the 5th day of November, 1878; and if in Hartley Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I resided in Hartley Township, Union County, Pennsylvania, on November 5, 1878, and resided there two years previous to that date.

Q. Did you vote at the general election held on November 5, 1878, in said township?—A. I did.

Q. Did you vote on your age at said election?—A. Yes, sir.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit, setting forth your qualifications

and right to vote, before voting?—A. I was sworn by the election board, but I did not sign my name to any affidavit.

Q. For whom did you vote at said election for member of Congress?—

A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Was there any objection made to your vote when you voted?—A. No, sir.

Q. After having been sworn by the board to the affidavit was your vote accepted?—A. Yes, sir.

Q. What is the politics of Isaac F. Keister?

(Counsel for contestee objects because not proper cross-examination, and the contestant cannot now open his case in rebuttal.)

A. That I don't know for sure. I think he is a Republican. I never saw him vote, but I think he is a Republican because some of his relations are Republicans.

MANASEH AUMILLER.

Sworn and subscribed before me this 27th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

DAVID GALER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. David Galer. I was twenty-one years of age on the 15th day of February, 1878. I reside in Hartley Township, Union County, Pennsylvania, and have resided there all my lifetime.

(Counsel for contestant objects to any evidence being given by this witness, as the answer of the contestee, to the notice of contestant contains no allegations as to the township of Hartley, and is not in rebuttal.)

Q. Where did you reside on the 5th day of November, 1878; and, if in Hartley Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I resided in Hartley Township all my lifetime.

Q. Did you vote at the general election held in said township on November 5, 1878?—A. I did. I voted on age.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit, setting forth your qualifications and right to vote, before voting?—A. I swore to one, but whether I signed it or not I don't know.

Q. Did you ever see paper of which Exhibit D. B. M. No. 24 purports to be a certified copy? And state whether or not this is the affidavit to which you were sworn on November 5, 1878.

(Original paper shown witness.)

A. I think this is the paper.

Q. For whom did you vote at said election for member of Congress?—

A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. After you had sworn to the affidavit was your vote then received without any further objection?—A. Yes, sir.

D. C. GALER.

Sworn and subscribed before me this 27th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

CHARLES F. SHAFFER recalled and examined.

Question. Will you produce the original affidavits of Isaac Keister, Manaseh Aumiller, and David Galer, filed among the election papers returned from Hartley Township for the election held November 5, 1878?

(Counsel for contestant objects to any evidence being given by this witness in relation to the election or the election papers for Hartley Township for the election held November 5, 1878, as the answer of contestee contains no allegations as to the township of Hartley.)

Answer. I will, and herewith produce them.

(Certified copies of said original affidavits offered in evidence, and marked Exhibit B. D. M. No. 23, Exhibit D. B. M. No. 24 and Exhibit D. B. M. No. 25.)

Q. Are Exhibits D. B. M. No. 23, Exhibit D. B. M. No. 24, and Exhibit D. B. M. No. 25 true and correct copies of said original affidavits of Manaseh Aumiller, David Galer, and Isaac Keister, respectively, so full and entire as the same remain on file in your office?—A. They are.

Q. You have already stated that you are the deputy prothonotary of Union County, have you not?—A. I have so stated.

Q. State whether Charles H. Hassonplug, the prothonotary, is still absent from Lewisburg?—A. He is.

CHARLES F. SHAFFER.

Sworn and subscribed before me this 27th of November, A. D. 1879.

[SEAL.]

D. B. MILLER,

Notary Public.

March 27, 1879, adjourned to meet at the same place on Friday, March 28, 1879, at 9 o'clock a. m.

D. B. MILLER,

Notary Public.

March 28, 1879, parties met pursuant to adjournment.

WILLIAM KEISER sworn and examined.

(Counsel for contestee, not waiving any objection to the fact that in contestant's notice of contest no allegations are made as to fraud, irregularity, or informality on part of the election board of East Buffalo Township, but expressly saving and reserving all and every legal exception, calls this witness in rebuttal.)

Question. What is your name, age, and place of residence?—Answer. My name is William Keiser; I am 40 years of age; I reside in East Buffalo Township, Union County, Pennsylvania.

Q. Were you present at the polls in said township on the 5th day of November, 1878; and, if so, how long were you so present?—A. I was present; I got there soon after seven o'clock in the morning, and remained there all day until the polls closed in the evening.

Q. Where were you during said time, and what were you doing?—A. I was outside of the election-house, among the people who came there to vote, and was engaged in electioneering.

Q. State whether you know, of your own knowledge, whether there was any closing of the polls during that day until after seven o'clock in the evening.

Q. Do you know of any voter going away from the polls because he had no opportunity to vote?—A. I do not.

Q. Did the election board at any time during the day leave the premises on which the election was held?—A. Not to my knowledge.

Q. Was full opportunity given to any and all legal voters who desired

to vote to do so?—A. There was, so far as I saw. It was as fair an election as I ever saw held in East Buffalo Township.

Q. If any one had left the polls by reason of not having an opportunity to vote, would you have known it?

(Counsel for contestant objects to any answer to the question, as it would simply be the opinion of the witness, and his opinion is not evidence.)

A. I think I would have known it.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine.

Q. Was the election in East Buffalo Township held in the house in which it was usually held, and where it was designated to be held by law?

(Counsel for contestee object: 1st. Not proper evidence to prove the place designated by law to hold the election. 2d. Not cross-examination. 3d. Irrelevant.)

A. I can't tell whether the election was held at the place designated by law or not. It was held in an outhouse on the premises of George Wolfe; and the election has always been held on the premises of George Wolfe. It has been held at three different places on the premises of George Wolfe since I have lived in the township. Sometimes it is held in the dwelling-house; then right back of the dwelling-house is a brick outbuilding where the election had been held; and then it has been held two or three times in a new building about ten yards from the house, on the same lot.

Q. Was the election of November 5, 1878, held in the dwelling-house of George Wolfe, for East Buffalo Township?—A. It was not held in the dwelling-house; it was held in the new frame building.

Q. Have any of the election officers of the election held November 5, 1878, informed you that the polls were closed during that day during the time that the election should have remained open?—A. They have not.

Q. Don't you know that the polls in East Buffalo Township were closed at dinner-time, and at supper-time, at the election held November 5, 1878?—A. I do not; if the polls were closed for dinner and supper I know nothing of it.

Q. Have you ever known the election polls to be closed in East Buffalo Township at dinner-time and at supper-time?

(Counsel for contestee object to any question being asked concerning any other election than that held on November 5, 1878.)

A. I have known the polls to be closed several years ago at dinner-time.

Re-examined in chief:

Q. Were the elections you speak of as being held in the different buildings on the premises of George Wolfe so held to suit the convenience of Mr. Wolfe and family?

(Counsel for contestant objects to the opinion of the witness.)

A. They have been so held, I suppose.

Q. How are these buildings situated in reference to each other?—A. I think the small brick building is connected with the brick dwelling-house; the frame building stands separate, and is about twelve or fifteen feet from the small brick building.

Q. Was any election heretofore held in the frame dwelling prior to November 5, 1878?—A. There was.

Recross-examined:

Q. You have stated that the election had been held in the frame house previous to the election held November 5, 1878; state how often it had been so held, and when.—A. I can't tell how often, or when—whether it was the spring election of 1878 or the fall election of 1877; I am positive it was held there once or twice.

Q. Where was the election held in March, 1879?—A. It was held in the dwelling-house of George Wolfe.

(Counsel for contestee object to the foregoing question and answer as irrelevant.)

WILLIAM KEISER.

Sworn and subscribed before me this 28th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

JAMES B. SWARTZLANDER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is James B. Swartzlander; I was twenty-one years of age on the 12th day of July, 1878; I reside in Buffalo Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878; and if in Buffalo Township, Union County, Pennsylvania, how long did you reside there previous to that date?—A. I lived in Buffalo Township on that date, and have resided there all my life.

Q. Did you vote at the general election held in said township on November 5, 1878?—A. I did. I voted on age.

Q. Did you swear or affirm to and subscribe a written or partly printed and partly written affidavit, setting forth your qualifications and right to vote, before so voting?—A. I swore to one, but I did not sign it.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Q. Did you ever see paper of which Exhibit D. B. M. No. 26 purports to be a certified copy? And state whether or not this is the affidavit to which you were sworn on November 5, 1878.—A. Yes, sir.

(Original paper shown witness.)

Q. This is the paper, is it?—A. It is.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. After having given the board the affidavit which you have just seen, was your vote received without any objection?—A. Yes, sir.

JAMES B. SWARTZLANDER.

Sworn and subscribed before me this 28th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

JACOB RUMFELT sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Jacob Rumfelt; I am twenty-seven years of age; I reside in White Deer Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878; and if in White Deer Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I resided in said township on November 5, 1878, and lived there since the year 1871.

Q. Did you vote at the general election held in said township November 5, 1878?—A. I did.

Q. Was the name Jacob Rumfelt on the registry of voters for said election?—A. No, sir.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit of facts, setting forth your qualifications and right to vote, before so voting?—A. No, sir.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Was there a name upon the registry of voters for the township of White Deer for the election held November 5, 1878, which was intended for your name?—A. Yes, sir, to the best of my knowledge.

Q. State whether the name of Jacob Broomfield was or was not intended for your name, and whether it was not spelled Bromfield by the assessor in a mistake.—A. It was.

Q. State whether there is residing in the township of White Deer a person by the name of Jacob Broomfield.—A. Not to my knowledge.

Q. State whether or not there is any other person residing in White Deer Township by the name of Jacob Rumfelt.—A. There is not; none that I have heard of.

Q. State whether or not when the collector of taxes of White Deer Township came to you for tax you were assessed by the name of Jacob Broomfield.

(Counsel for contestee object that what the collector may have told witness is not evidence.)

A. I was.

Q. Did you pay your tax which was assessed against you in the name of Jacob Broomfield?

(Counsel for contestee objects because the spelling of the name would not indicate a legal liability on the part of the witness to pay said tax, and it was the interest of the collector to receive the tax from any one whom he could induce to pay the same.)

A. I was satisfied that the tax was intended for me.

Q. Is not your name usually pronounced as though spelled "Roomfelt"?—A. Yes, sir.

Q. With whom did you reside on November 5, 1878?—A. Augustus A. Danowsky.

(Original assessment of the township of White Deer, Union County, Pennsylvania, for the year 1878 shown witness.)

Q. Does not your name appear upon the original assessment shown you spelled "Jacob Broomfield, residing with A. A. Danowsky"?—A. Yes, sir.

Q. Is there any person residing with A. A. Danowsky by the name of Jacob Broomfield?—A. There is not. The name is intended for me.

Re-examined in chief:

Q. You are not positive that there was not a person by the name of Jacob Broomfield residing in White Deer Township on the 5th day of November, 1878, are you?—A. No; I can't say that.

Recross-examined:

Q. Are you assessed under the name of Jacob Broomfield, as residing with A. A. Danowsky, upon the original assessment for the township of White Deer?—A. I am.

Re-examined in chief:

Q. How do you know that this is the original assessment of White Deer Township?—A. I don't know; but it looks like it.

JACOB RUMFELT

Sworn and subscribed before me this 28th day of March, A. D. 1879.
[SEAL.] D. B. MILLER,
Notary Public.

CHARLES A. DIEFFENDERFER sworn and examined.

(Counsel for contestee not waiving any objection to the fact that in contestant's notice of contest no allegation is made as to fraud, irregularity, or informality on the part of the election board of White Deer Township, but expressly saving and reserving all and every legal exception, calls this witness in rebuttal.)

Question. What is your name, age, and place of residence?—Answer. My name is Charles A. Dieffenderfer; am 51 years of age; I resided in White Deer Township all my life.

Q. State whether or not you were a member of the election board of White Deer Township at the general election held November 5, 1878; and, if so, what position did you hold?—A. I was the clerk of the majority inspector at said election.

Q. State whether or not the election board administered an oath or affirmation to persons claiming to vote at said election whose names did not appear upon the list of registered voters in said township.

(Counsel for contestant objects that, as this witness is called in rebuttal, the question is not a proper one, as an answer to it would be evidence in chief. 2d. The law requires that the board must take from persons claiming the right to vote written or printed affidavits setting forth their right to vote, which must be subscribed by the voter. This not having been done in the township of White Deer, any evidence showing that the board administered an oral oath is immaterial and irrelevant.)

Counsel for contestee saving and reserving all of the aforesaid exceptions and objections calls witness in chief as well as in rebuttal.)

A. They did.

Q. Did the election board satisfy itself as to the qualifications of all persons who voted at said election, and whose names were not upon the original list of registered voters of said township before so voting?—A. I think they did in all cases.

Q. How does it happen that affidavits sworn and subscribed were not taken from unregistered voters?—A. We thought that we did not have the time to do it; voters did not commence to vote until between ten and eleven o'clock, and there were about four hundred to vote; after the voting began the votes came in very rapidly, and there was no time to write affidavits.

Q. Have you not been acquainted for years with nearly all the voters of White Deer Township, and were not those who voted, although not registered, qualified voters of the township?

(Counsel for contestant objects to the opinion of the witness.)

A. I have been acquainted with the voters, and all who voted were qualified, I think.

Q. At what time were the polls opened and the board organized in said township at said election?—A. At 7 o'clock a. m.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Did the board administer an oath to every person who voted at the election held November 5, 1878, whose names did not appear upon the registry-list of voters for said township?—A. A good many persons voted whose names were not on the registry-list, and they were not sworn.

Q. At what time in the evening were the polls closed?—A. About ten minutes after seven o'clock.

Q. Did the board pass a resolution in the morning that they would not require written or partly written and partly printed affidavits from persons claiming the right to vote whose names did not appear upon the registry-list of said township?—A. Not in the morning. I made the proposition because there were so many voters. I think I made the proposition after dinner, when the votes were coming in pretty fast, and the board acted upon my suggestion.

Q. Were any affidavits taken at all?—A. Not a great many. I think eight or ten oral oaths, but no written or printed ones.

Re-examined in chief:

Q. Did you have a list of the taxables of White Deer Township for the year 1878, posted up by the assessor, in the room in which the election was held November 5, 1878?—A. Yes, sir; such a list was posted up.

Q. Were not the names of many old citizens who had voted in White Deer Township for years omitted from the list of registered voters, but whose names appeared upon the list of taxables so posted up?

(Counsel for contestant objects that the name appearing upon the list of taxables is no evidence that the person whose name it is has a right to vote.)

A. They did so appear, and the board was guided to some extent by this list of taxables.

Q. Did not many of those who were not sworn produce receipts showing that they had paid their State and county tax in time sufficient to entitle them to vote, and produce to the board other satisfactory evidence that they were legal voters?

(Counsel for contestant objects that the witness not being a member of the board, but simply a clerk of the majority inspector, an answer to the question would be simply his opinion, and would not be evidence for any purpose.)

A. I think they did.

Q. You stated that the polls did not close until ten minutes after 7 o'clock p. m.; how did this occur? And state whether any votes were received by the board after 7 o'clock p. m.?—A. We waited for an alarm-clock to strike, but it did not go off. No votes were taken in after 7 o'clock.

Recross-examined:

Q. For whom did you vote for member of Congress at the election held November 5, 1878?—A. I voted for Seth H. Yocum.

(Counsel for contestee object to the foregoing question and answer, because not proper cross-examination.)

Re-examined in chief:

Q. Was not the election held in White Deer Township on November 5, 1878, a fair and honest election?

(Counsel for contestant objects to the answer, as it is only the opinion of the witness.)

A. It was.

CHARLES A. DEFFENDERFER.

Sworn and subscribed before me this 28th day of March, A. D. 1879.

[SEAL.]

D. B. MILLER,

Notary Public.

March 28, 1879. Adjourned to meet at the same place on Saturday, March 29, 1879, at 9 o'clock a. m.

[SEAL.]

D. B. MILLER,

Notary Public.

March 29, 1879. Parties met pursuant to adjournment.

W. W. BROWN sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is William W. Brown; am thirty-six years of age; I reside in White Deer Township, Union County, Pennsylvania, and have resided there for about twenty years.

Q. Are you the collector of State and county tax for White Deer Township for years 1876 and 1877?—A. I am, and was collector for those years.

Q. Is Gabriel Huntingdon a citizen of the United States and of Pennsylvania, and how long did he live in White Deer Township immediately preceding November 5, 1878?

(Counsel for contestant objects to an answer being given to the question, for the reason that it is absolutely impossible for the witness to know whether Gabriel Huntingdon is a citizen of the United States or whether he is not, or how long he has resided in the township of White Deer, and the answer to the question would simply be the opinion of the witness, and would not be evidence.)

A. He is such citizen, and has lived in White Deer Township ever since I have known him.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects to the answer being given to the question, for the reason that in the answer of the contestee to the notice of contestant there is no allegation that there was any votes cast in the township of White Deer at the election held November 5, 1878, which were illegal on account of the non-payment of tax, and not in rebuttal.)

A. In the spring of 1878.

Q. Is Thomas Beddoe a citizen of the United States and of Pennsylvania, and how long did he live in White Deer Township preceding November 5, 1878?

(Counsel for contestant makes the same objection as heretofore made to a similar question asked about Gabriel Huntingdon.)

A. He is, as far as I know. He lived in the township four years preceding the election held November 5, 1879, and had lived there years ago.

Q. When did he last pay you a State or county tax?

(Counsel for contestant makes the same objection as to a former question of like import.)

A. In the spring of 1878.

Q. Is William Troxel a citizen of the United States and Pennsylvania, and how long did he reside in White Deer Township preceding the election held November 5, 1878?

(Counsel for contestant objects same as above.)

A. He was born and raised in the township, and lived there all his life.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as above.)

A. Some time during the year 1877; I think I got the duplicate in August, and he paid the tax soon after.

Q. Is John M. Sanders a citizen of the United States and of Pennsylvania, and how long did he live in White Deer Township preceding November 5, 1878?

(Counsel for contestant makes the same objection as heretofore made.)

A. He is, and resided there since childhood.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects as heretofore, and in addition the record of the payment of tax would be the best evidence.)

A. I can't say whether he has or not.

Q. Is John Vertz a citizen of the United States and of Pennsylvania, and how long has he resided in White Deer Township preceding November 5, 1878?

(Counsel for contestant makes the same objection as heretofore made.)

A. He is, and lived there from childhood.

Q. When did he last pay you a State or county tax?

(Counsel for contestant makes the same objection as heretofore made.)

A. He paid me in 1878, more than two months previous to the election held November 5, 1878.

Q. Is H. R. Hutchison a citizen of the United States and of Pennsylvania, and how long did he reside in White Deer Township prior to the election held November 5, 1878?

(Counsel for contestant makes the same objection as heretofore.)

A. He is, and lived there about two years.

Q. When did he last pay you a State or county tax?

(Counsel for contestant makes the same objection as heretofore.)

A. In the summer of 1878; more than two months prior to the election held November 5, 1878.

Q. Is C. W. Rader a citizen of the United States and Pennsylvania, and how long did he reside in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; has lived there 10 or 12 years prior to said date.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. Some time in the spring of 1878. He works in the factory for Mr. Griffey and Mr. Griffey pays his taxes.

Q. Is George Bohr a citizen of the United States and of Pennsylvania, and how long did he reside in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; he was raised in White Deer Township and always resided there.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. In the spring of 1878; before the 1st day of April.

Q. Is John Erb a citizen of the United States and of Pennsylvania, and how long did he reside in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; I have known him to live there for three years.

Q. When did he pay you a State or county tax last?

(Counsel for contestant objects same as before.)

A. In the summer of 1878; more than two months before November 5, 1878.

Q. Is Andrew Shirk a citizen of the United States and of Pennsylvania, and how long did he reside in White Deer Township prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; he lived there more than two years.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. In 1876, and also in the year 1877.

Q. Is George Showers a citizen of the United States and of Pennsylvania, and how long did he reside in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; he lived there since my earliest recollection.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. In 1878 and 1877; the last time in 1877.

Q. Is William R. Fisher a citizen of the United States and of Pennsylvania; and how long did he reside in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is; he was raised there, and has lived there all his life.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. In 1876, more than two months before the election.

Q. Do you know a voter in White Deer Township by the name of J. Elliot; if so, what is his full name?—A. His full name is Jervis Elliot, sometimes spelled Gervis.

Q. Is J. Elliot or Jervis Elliot a citizen of the United States and of Pennsylvania; and how long has he resided in White Deer Township, Union County, prior to the election held November 5, 1878?

(Counsel for contestant objects same as before.)

A. He is. He resided there to my knowledge more than five years.

Q. When did he last pay you a State or county tax?

(Counsel for contestant objects same as before.)

A. Some time in the spring of 1878.

(Exhibit D. B. M. No. 17, shown witness.)

Witness looks at name No. 75.

Q. Is there such a man as H. A. Wiless in White Deer Township? And, if not, state for whom said name was intended.

(Counsel for contestant objects to the opinion of the witness.)

A. No such man in White Deer Township as Wiless—must be intended for A. J. Wyle.

Q. Do you see several names on this list of voters spelled Weigel? What should this name be spelled as it usually is by the parties having said name?

(Counsel for contestant objects because an answer would be simply the opinion of the witness, and the best evidence would be the clerk of the election board who made out the list of voters.)

A. If it is intended for Weikel, which I think it is, it should be spelled Weikel.

Q. How is the name Wertz sometimes spelled in your township?—A. Sometimes spelled Vertz.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. You have stated that the name of Wertz is sometimes spelled Vertz; who did you ever see or know of having spelled it Vertz?—A. I have seen it so spelled in old school-tax duplicates.

Q. Did Gabriel Huntingdon, Thomas Beddo, William Troxel, John Vertz, H. R. Hutchison, C. W. Raider, George Bohr, John Erb, Andrew Shirk, George Showers, William R. Fisher, and J. Elliot pay you their State or county tax?—A. They were all paid me by the persons themselves except Raider and Elliot, and their tax was paid by Mr. Griffey, for whom they worked.

WM. W. BROWN.

Sworn and subscribed before me this 29th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

HOWARD SCHNEE sworn and examined.

Question. What is your name, age, and place of residence?—Answer. My name is Howard A. Schnee. I was twenty-one years of age March 11, 1878. I reside in Gregg Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878; and if in Gregg Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I resided in Gregg Township on November 5, 1878, and resided there since April 1, 1878.

Q. Did you vote at the general election held in said township on November 5, 1878?—A. I did; I voted on age.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit setting forth your qualifications and right to vote, before voting?—A. No, sir; I did not.

Q. For whom did you vote at said election for member of Congress?—A. I voted the Democratic ticket, and whoever was on the Democratic ticket I voted for.

Q. Were you sworn by the board at all?—A. No, sir.

Counsel for the contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. How does it come that you were not sworn by the board before you voted?—A. They intended to make me swear, but my father was standing by and told them that I was twenty-one years of age on the 11th day of March, 1878.

Q. Did the board then receive your vote without any further objection?—A. They did.

HOWARD A. SCHNEE.

Sworn and subscribed before me this 29th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

SAMUEL KARICHER sworn and examined.

Question. What is your name, age, and place of residence?—Answer. Samuel S. Karicher. I was twenty-one years of age on the 20th day of January, 1878. I reside in Gregg Township, Union County, Pennsylvania.

Q. Where did you reside on the 5th day of November, 1878; and, if in Gregg Township, Union County, how long did you reside there previous to that date?—A. I lived there at that date, and for about seventeen years prior thereto.

Q. Did you vote at the general election held for that township November 5, 1878?—A. I did; I voted on age.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit setting forth your qualifications and right to vote before voting?—A. I did not.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Were you sworn by the board as to your age and place of residence? If so, did you state that you were above the age of twenty-one years?—A. Yes, sir.

Q. Did the election board then receive your vote?—A. They did.

SAMUEL S. KARICHER.

Sworn and subscribed before me this 29th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

JOHN KING sworn and examined.

Question. What is your name, age, and residence?—Answer. My name is John A. King. I was twenty-one years of age on the 25th day of January, 1878, and reside in Gregg Township, Union County, Pennsylvania.

(Counsel for contestant objects to any evidence being given by this witness, and also objects to the testimony given by the two preceding witnesses, for the reason that the answer of the contestee to the notice of contestant contains no allegation as to the township of Gregg.)

Q. Where did you reside on the 5th day of November, 1878; and, if in Gregg Township, Union County, Pennsylvania, how long did you reside there prior to that date?—A. I lived there all my life.

Q. Did you vote at the general election held in said township November 5, 1878?—A. I did; I voted on age.

Q. Did you swear or affirm to and subscribe a written or partly written and partly printed affidavit setting forth your qualifications and right to vote before voting?—A. No, sir.

Q. For whom did you vote at said election for member of Congress?—A. I voted for Andrew G. Curtin.

Counsel for contestant, reserving all legal exceptions to the competency and relevancy of the testimony, proceeds to cross-examine:

Q. Were you sworn by the board as to your age and place of residence when you voted on November 5, 1878?—A. They did not swear me; my father told them how old I was, and they received my vote.

JOHN A. KING.

Sworn and subscribed before me this 29th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

CHARLES F. SHAFFER recalled and examined.

Question. Will you produce the original affidavit of James B. Swartzlander, filed among the election papers returned from Buffalo Township for the election held November 5, 1878?—Answer. I will, and herewith produce it.

(Certified copy of original affidavit offered in evidence, and marked Exhibit D. B. M. No. 26.)

Q. Is Exhibit D. B. M. No. 26 a true and correct copy of said original affidavit of James B. Swartzlander so full and entire as the same remains on file in the prothonotary's office?—A. It is.

Q. Will you produce the original affidavits of the board of election officers of Gregg Township for the election held November 5, 1878, as filed with the election papers as returned from Gregg Township?—A. I will, and herewith produce them.

(Certified copy of said original affidavits offered in evidence, and marked Exhibit D. B. M. No. 27.)

Q. Is Exhibit D. B. M. No. 27 a true and correct copy of said original affidavits or oaths taken by the board of election officers of Gregg Township for the election held November 5, 1878, as filed with the election papers of said township, so full and entire as the same remains on file in the prothonotary's office of Union County?—A. It is.

CHARLES F. SHAFFER.

Sworn and subscribed before me this 29th day of March, A. D. 1879.
[SEAL.]

D. B. MILLER,
Notary Public.

(Counsel for contestant objects to the affidavits of the board of election officers of Gregg Township going in evidence, for the reason that in the answer of the contestee to the notice of contestant there are no allegations as to any irregularity in the affidavits of the election officers of said township and not in rebuttal.

Exhibit D. B. M. No. 27 in evidence, and made part of the record under the above objection.

Counsel for contestee now offer notices of examination of witnesses from Seth H. Yocum, contestee, to Hon. A. G. Curtin, contestant, upon all of which said notices service has been accepted by counsel of contestant, in order that the said notices may be attached to these depositions and made part of the record.

Notices attached, and marked, respectively, A, B, C, D, E, F, G, H, I, J.

Counsel for contestee now offers his subpoenas served upon witnesses in the matter of the contest between Hon. A. G. Curtin and Seth H. Yocum, esq., in order that the same may be attached to these depositions.

Subpoenas attached and marked, respectively, K, L, M, N, O, P, Q, R, S, T, U, V.

Erasures and interlineations.

The word "paper" written on an erasure, line 8, page 3.

The word "evidence" erased in line 10, page 3.

The word "record" interlined in line 10, page 3.

The word "and" erased in line 2, page 4.

The word "yes" erased in line 7, page 13.

The word "al" erased in line 6, page 19.

The word "tin" in Curtin, written on an erasure in line 16, page 20.

The word "were" written on an erasure in line 20, page 20.

The word "it" interlined in line 17, page 24.

The word "redirect" erased and rewritten in lines 3 and 8, and word "re" written on an erasure in line 23, page 27.

The word "don't" written on an erasure in line 12, page 28.

The word "over" written on an erasure in line 5, page 29.

The word "redirect" erased in line 7, page 29.

The word "redirect" erased in line 16, page 29.

The words "I belong" erased in line 23, page 33.

The word "the" written on an erasure in line 12, page 35.

The word "for" written on an erasure in line 18, page 36.

The word "paper" written on an erasure in line 17, page 38.

The word "board" erased and the word "ward" interlined in line 2, page 40.

The figure "5th" made on an erasure in line 14, page 46.

The word "what" interlined in line 4, page 47.

The figure "4" made on an erasure in line 22, page 47.

The word "as" written on an erasure in line 24, page 48.

The word "answer" erased in line 5, page 50.

The word "votes" interlined in line 10, page 58.

The word "return" erased in line 10, page 59.

The word "with" erased in line 21, page 61.

The word "from" erased in line 6, page 64.

The letter "A" in the word Andrew written on an erasure in line 12, page 65.

The words "at said election" erased in line 2, page 71.

The letter "I" erased in line 29, page 73.
 The word "house" interlined in line 15, page 74.
 The word "hire" interlined in line 2, page 75.
 The word "the" erased in line 22, page 79.
 The word "vote" erased in line 27, page 90.
 The word "not" interlined in line 10, page 94.
 The word "the" erased in line 3, page 95.
 The word "answer" erased in line 12, page 95.
 The words "of age" erased in line 11, page 103.
 The word "examined" erased in line 1, page 106.
 The word "original" erased in line 5, page 109.
 The word "registered" interlined in lines 14 and 21, page 109.
 The word "registered" interlined in line 1, page 110.
 The word "question" erased in line 20, page 117.
 The word "and" erased in line 6, page 120.
 The word "written" written on an erasure in line 21, page 126.
 The word "and" erased in line 26, page 129.
 The word "registered" interlined in line 11, page 132.
 The word "residence" erased in line 9, page 135.
 The word "in" erased in line 17, page 135.
 The words "There was a young fellow asked me if I wanted to vote the Democratic ticket" erased in lines 15, 16, and 17, page 149.
 The words "on it" erased in line 5, page 150.
 The word "residence" erased in lines 5 and 6, page 151.
 The word "printed" erased in line 18, page 152.
 The word "in" written on an erasure in line 6, page 158.
 The word "question" erased in line 21, page 161.
 The word "have" erased in line 6, page 162.
 The word "dwell" erased in line 24, page 163.
 The word "these" erased in line 15, page 165.
 The words "a pri" erased in line 4, page 168.
 The word "after" erased in line 2, page 183.
 The word "it" erased in line 7, page 198.
 The word "not" interlined in line 2, page 202.
 The word "long" interlined in line 18, page 203.
 The words "Where did" erased in line 21, page 204.

STATE OF PENNSYLVANIA,
 County of Union, ss:

I, D. Bright Miller, a notary public in and for said State and county, before whom the depositions of the above-named witnesses were taken, do hereby certify that said witnesses were duly qualified and examined at the times and place as stated in the caption to these depositions, and subscribed their names to their respective depositions in my presence; and that the questions and answers in said depositions were taken down by me truly and correctly as they fell from the lips of the respective counsel and witnesses; and I do further certify that the erasures and interlineations made thereon, and particularly set forth on pages 213, 214, and 215, were made by me on the lines and pages thereon noted before the respective depositions in which they were made were signed by the witnesses.

Witness my hand and notarial seal this 8th day of April, A. D. 1879.
 SEAL.]

D. B. MILLER,
 Notary Public.

EXHIBIT D. B. M. No. 1.

Copy of list of registered voters of Lewisburg, north ward, November election, A. D. 1878.

Augstadt, Nathan	Chappell, Martin	Hutchison, Alex. P.
Andy, John	Cox, D. W.	Harsh, Peter
Albright, L. F.	Cornelius, W. J.	Hann, J. Ross
Asten, L. R.	Cornelius, Frank	Housel, Jos. M.
Aurand, Daniel	Cornelius, Walter	Halfpenny, Mark
Ammon, Harvey	Caldwell, Wm. Cook	Hummel, Jacob
Augstadt, Wm. J.	Ditty, Wm.	Hess, Joseph
Albright, Andrew	Donahower, F. A.	Hassenplug, C. H.
Aurand, Wm.	Dietrich, Samuel	Harrison, F. C., Dr.
Baker, J. T., esq.	Dreisbach, Cyrus	Hauck, John A.
Beck, S. L.	Dill, Rev.	Hood, Robert
Brown, Joseph	Donachy, John	Hood, Chas. F.
Billmyer, Philip	Donachy, Milliard	Hutchison, Andy
Bause, Samuel	Daywald, Samuel	Haun, Joseph L.
Baker, Wm. N.	Dill, Rees, M.	Holsiser, John
Bower, A. E.	Donachy, Thompson	Halfpenny, Hirduimus
Blair, Sam'l, Doct.	De Frain, John A.	Hipple, Fred.
Brooks, J. P.	Derr, G. P.	Harvey, J. C.
Bates, S. D.	Derr, Augustus	Hoyer, Henry
Brooks, Bowyer	Donachy, William	Heeby, Henry
Brocius, Jacob	Dreisbach, J. O.	Halfpenny, Mark, jr.
Byers, Flamanus	Donachy, Thompson E.	Halfpenny, Frank
Blair, James	Derr, James	Halfpenny, T. E.
Barrett, S. L.	Ely, Reuben	Hess, M. M.
Brewer, David	Evans, T. G.	Himmelruch, W. D.
Boley, Joseph	Evans, R. D.	Hepple, James
Beale, Frank J.	Fegley, William	Hempfield, Marion
Burr, George S.	Fichthorne, Michael	Hunter, Geo. Rev.
Barber, Wm. H.	Frick, Henry	Hefflefinger, A. C.
Brooks, John	Frain, Jacob	Heny, Adam
Baker, Wm. N., jr.	Forrest, J. B.	Hutchison, Wesley
Bell, Wm. J.	Fisher, T. H.	Hart, Marks
Berry, John	Fury, Fred.	Hartman, Charles
Billman, D. R.	Flick, Charles W.	High, Frank S
Billmyer, Daniel	Flack, Wm.	High, David
Bower, Wilson	Focht, George A.	Halfpenny, James
Burris, Henry	Ginter, David	Halfpenny, James, jr.
Bennet, Samuel	Ginter, P. N.	Irvin, Wm. Miles
Bartolett, Benjamin	Giston, Josiah	Jones, L. E.
Beck, Thomas	Goodman, John H.	Johnson, B. R.
Barber, Wm. F.	Griffin, John	Jones, W. E (col.)
Britton, G. W.	Gillroy, Robert	Jones, W. M.
Brown, Chas. F.	Gussler, Wm.	Kelly, Geo. C.
Cornelius, J. R.	Gussler, Hiram	Kline, C. D.
Collins, Charles	Geddes, Paul	Keisteller, S. P.
Carkhuff, Ralph	Grissing, George	Kohr, E., Rev.
Cox, John	Gillaspie, William	Kahl, John
Cornelius, Jonathan	Ginter, Wm. M.	Kerr, Daniel
Cornelius, Wash.	Geddis, Wm.	Katherman, E.
Clemence, John	Goodman, Wm. F.	Kahl, Samuel
Cox, Wm. J.	Goodman, Geo. W.	Kohler, David
Crawford, Rev.	Hutchison, Wash	Kersteller, Isaac J.

Kersteller, George	Nesbit, David	Sheller, Samuel C.
Kahl, Emanuel	Nogle, Wm. H.	Searles, William
Kahl, Daniel	Nyhart, Jacob	Shriner, Josiah
Kohr, E. H.	Norton, John B.	Smith, Judson T.
Kneas, Wm. H.	Noll, Samuel	Smeed, Thomas
Kersteller, J. W.	Oswald, Daniel	Steiner, Frederick
Kelly, Thos. D.	Painter, Wm. C.	Shamp, Wilson
Lenhart, Jackson	Penny, Charles	Smith, Allen
Laird, Wm. J.	Pursell, Reuben	Saupper, Valentine
Linebach, Wm.	Pardoe, Thoms	Spong, Peter
Learch, R. O.	Proctor, Geo. W.	Stark, D. G.
Long, Zack	Pontius, A. J.	Schaffle, Clarrence
Long, Geo. E.	Pross, George	Stoughton, James
Lebkicher, Douglas	Philips, Chester	Shaffer, W. O.
Lenhart, Peter	Painter, E. L.	Sheller, A. S.
List, Albert	Poeth, Levi	Squires, John D.
Lawshe, R. A.	Pursell, George	Stuges, Fred.
Leiser, A. A.	Potter, Joel	Sturges, Charles
Lefou, Levi	Pardoe, Charles	Searles, Bastian
Leiser, Wm. jr.	Pross, George, jr.	Schaffer, C. F.
Lyndall, Harry	Pardoe, John	Schaffle, Chas. F.
Lenhart, James	Pross, William (age)	Troxell, Benjamin
McCoy, Archy	Reber, David	Taylor, Wm. A.
Morrow, Samuel	Reyman, L. J.	Taylor, Lee (col)
McLaughlin, Jackson	Reed, John A.	Thompson, S. H., Rev.
Miller, John B.	Ritter, Solomon	Townsend, S. H.
Murphy, Howard	Ritter, Valentine	Thompson, Wm. (col.)
Miller, John P.	Reeser, Rev.	Toram, Samuel
Musser, R. M.	Reed, Wm. C.	Taylor, Thomas
Mabus, Sol.	Reidabach, Adam	Vandine, John E.
Myers, D. B.	Reeler, James (col.)	Vosse, O. R.
Murphy, John E.	Reed, Samuel A.	Vosse, W. L.
Marsh, Griggs	Reed, Henry C.	Van Valzah, J. F.
McLaughlin, G. Y.	Reitmyer, Hiram	Wolfe, Jonathan
McCall, Joseph	Reber, John M.	Wolfe, Edward
Messinger, Aaron	Rudy, Isaac	Wolfe, John
Miller, Ward	Sheller, H. P.	Walker, Joseph H.
Mabus, Mathias	Shaughnessy, Edward	Wall, James
Morrow, Jos. B.	Strawbridge, Thomas	Wagner, Samuel
Miller, Benjamin	Schaffle, Wm. C.	Walls, G. W.
Mattach, Geo. S.	Schaffle, S. W. W.	Woods, George D.
McCoy, John	Shoemaker, Alan	Wolfe, Jacob
Miller, Charles	Stark, E. A.	Weidensaul, J. P. S.
Miller, John T.	Search, John W.	Wolfe, Edwin C.
Myers, David	Stoughton, Augustus	Wolfe, Samuel M.
Moore, James	Stannert, Samuel	Wolfe, Wm. H.
Moore, Chas. L.	Smith, David	Wagner, D. B.
Murray, George	Shaffer, Daniel	Walker, John H.
McDonnel, Charles	Snyder, Daniel	Woomer, A. J.
Myers, Henry	Searles, William, jr.	Wolfe, L. B.
McClure, Hayes	Smith, Elijah	Wall, Philip
Moyer, David	Smith, Wm. H.	Wolfe, Charles J.
Meck, William	Strickland, Thos.	Wolfe, Jacob
Matus, Benjamin	Sturgis, C. W.	Zeigler, S. W., Rev.
Nesbit, Alvin	Stoughton, Frank	Zentmyer, Enos
Nogle, William	Slack, Nathan	Zentmyer, Frank
Norton, Thos. S.	Schoch, George	

STATE OF PENNSYLVANIA,
Union County, ss:

I do hereby certify that the within is a full, true, and correct list of voters of north ward, Lewisburg, for the year A. D. 1878, as shown by the registry-list and sixty-day assessment made by the assessor of said district, and on file in the commissioners' office in said county.

In testimony whereof I have hereunto set my hand and the seal of the commissioners' office of Union County, at Lewisburg, this 17th day of March, 1879.

[SEAL.]

PETER HUSS,
Clerk of Commissioners' Office.

EXHIBIT D. B. M. No. 2.

List of voters at general election November 5, 1878.

At a general election in the eighth election district, in the county of Union, in the commonwealth of Pennsylvania, held at Northwest School-House in the borough of Lewisburg, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November, being the fifth day of the month, in the year A. D. 1878.

- | | |
|------------------------|-------------------------|
| 1 John P. Miller | 34 C. H. Hassenplug |
| 2 S. A. Reed | 35 G. W. Procter |
| 3 J. F. Walker | 36 Saml. P. Kertter |
| 4 Philip Billmyer | 37 W. A. Baker, sr. |
| 5 W. A. Taylor | 38 Wm. Francis |
| 6 J. W. Hutchinson | 39 Michael Fichthorn |
| 7 S. M. Wolfe | 40 Geo. C. Kelly |
| 8 Howard Murphy | 41 F. M. Fury |
| 9 G. W. Walls | 42 M. R. Dill |
| 10 P. N. Ginter | 43 Jacob F. Wolfe |
| 11 W. S. Linebach | 44 Chas. L. Moore |
| 12 F. P. Cornelius | 45 Thos. D. Kelly |
| 13 D. W. Cox | 46 Geo. W. Schock |
| 14 J. H. Walker | 47 Geo. E. Long |
| 15 J. T. Cox | 48 E. F. Angstadt (age) |
| 16 H. C. Ammen | 49 Thos. Strickland |
| 17 Ralph Karkhuff | 50 Mark Halfpenny, sr. |
| 18 C. W. Schaffle | 51 Thos. Strawbridge |
| 19 D. B. Nesbet | 52 J. P. Brook |
| 20 Henry Frick | 53 N. Angstadt |
| 21 Andrew Hutchison | 54 S. D. Bates |
| 22 J. W. Cornelius | 55 Rheuben Pursell |
| 23 H. G. Dill | 56 Jacob Wolfe |
| 24 J. P. S. Weidensaul | 57 Robert U. Gelroy |
| 25 Chas. McDowell | 58 Wm. H. Wolfe |
| 26 G. Y. McLaughlin | 59 Jackson Wornur (tax) |
| 27 J. Ward Miller | 60 Jackson Lenard |
| 28 Jonath. Wolfe | 61 Geo. Hunter |
| 29 W. T. Pardoe | 62 Jacob Humel |
| 30 Lewis E. Jones | 63 W. H. Kneass |
| 31 B. R. Johnson | 64 E. L. Painter |
| 32 A. S. Sheller | 65 N. H. Slack |
| 33 E. A. Stark | 66 Benj. Troxell |

- | | |
|----------------------------------|--------------------------|
| 67 John Miller (tax) | 123 Alvin A. Nesbit |
| 68 James Halfpenny, sr. | 124 Chas. Collins |
| 69 W. O. Shaffer | 125 H. S. Halfpeny |
| 70 James Moore | 126 J. C. Haive |
| 71 Wm. Leiser | 127 D. B. Myers |
| 72 Henry Karp, (tax) | 128 Sol. Ritter |
| 73 Allen Shoemaker | 129 Wm. F. Goodman |
| 74 I. L. Barett | 130 F. H. Detrich (age) |
| 75 A. J. Albright | 131 David S. Moyer |
| 76 F. Byers | 132 James M. Derr (age) |
| 77 Jos. Boley | 133 W. J. Cox |
| 78 Saml. Bennett | 134 Valentine Ritter |
| 79 J. W. Kastteter | 135 H. P. Sheller |
| 80 John B. Miller | 136 John A. Reed |
| 81 C. D. Kline | 137 James B. Forrest |
| 82 J. H. McCall | 138 Wm. Gallaspie |
| 83 David Myers | 139 W. C. Reed |
| 84 H. A. Myers | 140 Wm. C. Geddes |
| 85 Wm. Donachy | 141 John McCoy |
| 86 Marks Hart (tax) | 142 Geo. D. Pross |
| 87 Wm. M. Irvin | 143 Geo. S. Matlock |
| 88 Wm. Fegley | 144 Syrus Dreisbach |
| 89 D. B. Wagner | 145 Josiah Shriner |
| 90 Geo. S. Burr | 146 Henry Heyer |
| 91 S. C. Sheller | 147 R. D. Evans |
| 92 Griggs Munk | 148 F. G. Evans |
| 93 G. W. Briton | 149 S. L. Beck, sr. |
| 94 Rheuben Ely | 150 Jacob Neyhart |
| 95 Dan'l Carr | 151 Leon Wolfe |
| 96 Thompson E. Donachy | 152 Wm. M. Genter |
| 97 David G. Stark | 153 Emanuel Kohr, Rev. |
| 98 Allen Smith | 154 E. F. Marsh (age) |
| 99 Wm. M. Jones | 155 Geo. M. Focht |
| 100 Geo. Pontius | 156 H. H. Burruss |
| 101 E. H. Kohr | 157 R. A. Lawshe |
| 102 G. W. Hutchison | 158 John E. Murphy |
| 103 Daniel Miller (age) | 159 J. F. Smith |
| 104 Sam'l Tonem | 160 G. W. Goodman |
| 105 Frank A. Donahower | 161 Frank Halfpenny |
| 106 Archy McCoy | 162 John H. Goodman |
| 107 Paul Geddes | 163 James Halfpenny, jr. |
| 108 Sam'l Blair | 164 W. H. Nagle |
| 109 David Ginter | 165 Peter Hursh |
| 110 John D. Dur | 166 R. O. Lusch |
| 111 Chas. Penny | 167 Fred Stiner |
| 112 Josiah Girton | 168 J. F. Beale |
| 113 Miles Irving Greenwalt (age) | 169 Saml. Morrow |
| 114 H. N. Wendel (tax) | 170 Wm. Flack |
| 115 Chas. H. Hood | 171 A. E. Bower |
| 116 A. C. Hefelfinger | 172 L. F. Albright |
| 117 W. B. Hefelfinger | 173 Jacob J. Brocius |
| 118 W. C. Painter | 174 B. F. Bartolett |
| 119 Dan'l Aurand | 175 J. M. Housel |
| 120 Isaac Reed | 176 Wm. Pross (age) |
| 121 Lee Taylor | 177 L. R. Asten |
| 122 Valentine Sauper | 178 W. D. Himmelreich |

179 Wm. Searls
 180 John Holsizer
 181 Levi Lefever
 182 C. W. Sturgis
 183 John Berry
 184 Robt. Hood
 185 Peter Lenard
 186 James Lenard (age)
 187 Jos. L. Haun
 188 John Griffin
 189 F. S. Sturgis
 190 Jacob Defrain
 191 Walter Cornelius
 192 Wm. Thomas (tax)
 193 W. H. Barber
 194 F. S. Norton
 195 A. L. Reeser
 196 James Crawford
 197 J. O. Dreisbach
 198 Harry Hebee
 199 C. F. Shaffer (age)
 200 Charles J. Wolfe
 201 F. C. Harrison
 202 Daniel Oswalt
 203 W. C. Barber
 204 S. H. Tompson
 205 Andrew A. Leesie
 206 John Wolfe
 207 F. C. Stoughton
 208 Chas. Hartman
 209 Enos Zentmyer
 210 Saml. Detrick
 211 W. N. Baker, jr.
 212 John R. Cornelius
 213 C. H. Reed
 214 James Wall
 215 Danl. Schaffer
 216 Aaron Messinger
 217 Allen Messinger (age)
 218 Sebasten Sarls
 219 Martin Chapell
 220 J. F. Vauralzah
 221 J. B. Morrow
 222 Elijah Smeed
 223 Sam'l Stinert
 224 James Stoughton
 225 Alex. P. Hutchison
 226 Ogden Vorse
 227 Joel C. Potter
 228 Em'l Kaderman
 229 W. J. Bell
 230 John Clemens
 231 J. L. Raymon
 232 Milard Donachy
 233 John Vandine
 234 Sol. Mapeer

235 Jos. Hess
 236 Zack Long
 237 John Kahl
 238 R. M. Musser
 239 John Defrain
 240 E. C. Wolfe
 241 Hiram Reitmyer
 242 Adam Henry
 243 Chester Philips
 244 Aug. Stoughton
 245 S. K. Wagner
 246 John Search
 247 Geo. Pross (sen.)
 248 Sam'l Bouse
 249 Dan. C. Breever
 250 Charles Miller
 251 Jonathan Cornelius
 252 Boyer Brook
 253 Thompson Donachy
 254 Jos. Brien
 255 Edward Halfpeny
 256 E. F. Brown.
 257 H. W. Shamp.
 258 M. M. Hess
 259 Dan'l Snyder
 260 Thos. Taylor
 261 D. R. Billman
 262 Henry Kale (age)
 263 Philip Wall
 264 Wm. H. Aurand (tax)
 265 Dan'l Kale
 266 J. C. Hipple.
 267 W. J. Augstadt
 268 Fred. L. Hipple
 269 Em'l Kale
 270 Hayer McCline
 271 Dan'l Billinger
 272 Wm. Gusler
 273 C. C. Schaffer
 274 David Reber
 275 Augustus Derr
 276 J. A. Hann
 277 Sam'l Devalt
 278 Wm. Ditty
 279 David S. Smith
 280 Wm. H. Smith
 281 Chas. W. Flich
 282 John Donachy
 283 Marvin Hempfield
 284 Thos. Beck
 285 Mathias Mapeer
 286 Thos. S. Sneed
 287 Wm. J. Laird
 288 S. W. Zigler
 289 H. W. Lyndall
 290 Wm. Nagle

291 G. W. Cornelius
 292 Franklin Zentmyer
 293 Edward Wolf
 294 W. L. Vorse
 295 Adam Ridebauch
 296 Hiram Gussler
 297 Mark Halfpenny
 298 Geo. D. Woods
 299 Isaac I. Kursteter
 300 Geo. Grissner
 301 David Hight
 302 Frank S. High

303 Jos. Burrier
 304 Saml. Kale
 305 Edward Shauhnessy
 306 Jackson McLaughlin
 307 E. D. Lepkichler
 308 David Kehler
 309 Levi Poeth
 310 John Pardoe
 311 S. W. W. Schaffle
 312 Albert List
 313 W. C. Caldwell
 314 Adam Augstadt

STATE OF PENNSYLVANIA,

County of Union, ss:

I do hereby certify that the above and foregoing is a true and correct copy of the original list of voters of the north ward of the borough of Lewisburg, in said county, remaining on file in my office, of the election held November 5, A. D. 1878.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg this 17th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG, *Prothonotary*.

EXHIBIT D. B. M. No. 3.

List of registered voters, Mifflinburg, west ward, county of Union, Pennsylvania, for the year A. D. 1878.

Auspach, J. G., Rev.	Crotzer, Cha's	Gotshall, W'm
Auspach, L. W.	Cole, J. W.	Gemberling, Henry
Adams, G. E., Rev.	Crotzer, Herbst	Gast, Henry
Barber, S. S.	Coleman, Samuel	Gotshall, Joseph
Brubaker, D. M.	Cromiller, Samuel	Gutelins, Elliott
Bogar, W'm	Dersham, Alexander	Gutelins, C. H.
Bowes, Jos. M.	Dersham, D.	Gutelins, Henry
Bogensey, Henry	Earhart, F. P.	Gast, J. R., Dr.
Barber, R. T.	Eaton, B. F., esq.	Gutelins, J. T.
Barber, John V.	Feese, Robert F.	Gutelins, D. F.
Badger, John	Frederick, Alexander	Getgan, T. M.
Bogensief, Tho's	Foust, David	Glover, Henry
Badger, Calvin	Foster, Albert	Glover, Horace P.
Bender, Levi	Foster, O. K.	Gotshall, David
Bilger, John	Foust, William	Hayes, John
Beufer, Michael	Foster, W. K.	Heater, Augustus
Boob, Joseph	Fisher, Reuben	Henry, Isaiah
Badger, O. P.	Foster, Frederick	Housel, David
Barber, Merrill	Fitchthorn, William	Hoffman, S. B.
Boob, Charles	Feese, Charles	Hoffman, Samuel
Catherman, A. J.	Grove, Peter	Haus, James S.
Crotzer, W'm	Gutelins, Albert S.	Hursh, Wm. H.
Chamber, James	Gutelins, John	Hoover, Ephraim
Condon, Jno. H.	Gutelins, George	Hayes, W. T.
Crotzer, T. M.	Gutelins, Edwin W.	Hopp, J.
Christine, D. W.	Grier, Isaac, Rev.	Hartman, Michael
Clapham, John	Getgan, Samuel	Iddings, H. P.
Curwin, W. P.	Gotshall, John	Iddings, R. K.

Kleckner, David	Rule, John V.	Schoch, Milton M.
Kaufman, Enoch	Reed, Martin G.	Stettler, W'm M.
Kimbel, G. S., Dr.	Rishell, John	Snyder, S. P.
Killinger, William	Righards, John	Schoch, Geo. W.
Klepfer, John	Rishell, John C.	Schoch, Gilbert
Kriesher, Newton	Ruhl, Jacob	Swineford, Henry
Kreamer, William	Romig, John	Tayler, James
Kelly, James	Raker, John	Trutt, David
Lytle, Charles	Raker, Daniel	Wolfe, Henry G.
Lincoln, John	Rishell, George W.	Wendel, Robert
Miller, Enoch	Ritter, William	Weirick, Robert
Moss, James	Royer, Jacob	Whitty, William
Moss, Daniel	Raker, Noah	Walter, T. N. L.
Miller, Michael	Rule, Willard	Walter, Vitalles
Miller, D. B.	Stearns, J. C., Dr.	Wagner, Samuel
Menoch, O. P.	Stayman, J. M.	Walter, Reuben
Miller, Joseph	Sheffler, George	Wagner, W'm
Moss, George	Swineford, Henry C.	Wilson, Samuel
Millhouse, John	Schoch, Samuel	Willey, James
Morrison, E.	Stittler, William	Weirick, Charles
Myers, S. P.	Shreffler, Samuel	Yearick, Emanuel
McCarty, Morris	Simonton, Samuel	Youngman, G. N.
Moyer, Scott	Swineford, Charles	Young, W'm B.
Miller, J. G.	Swartzland, Samuel	Young, Robert
Moyer, Daniel K.	Smith, W'm H.	Youngman, T. W.
Orwig, Samuel	Strunk, Henry	Zeller, James R.
Pontius, Ephraim	Shell, George	Zellers, Charles
Parker, Thomas	Strong, John L.	Zeller, F. J. R., esq.
Rule, William	Steas, T. O.	

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full, true, and correct list of voters of the west ward, Mifflinburg, for the year A. D. 1878, as shown by the registry-list and sixty-day assessment made by the assessor of said ward and borough, and on file in the commissioners' office in said county.

In testimony whereof I have hereunto set my hand and seal of commissioners' office, at Lewisburg, Union County, Pennsylvania, this 17th day of March, A. D. 1879.

[SEAL.]

PETER HURSH,
Commissioners' Clerk.

EXHIBIT D. B. M. No. 4.

Return where two or more counties elect together.

We, the undersigned, judges of the court of common pleas of Union County, Pennsylvania, composing in conjunction with the counties of Clinton, Clearfield, Elk, Mifflin, and Centre, the twentieth Congressional district in said commonwealth, do certify that at the time and place fixed by law, the returns of the election in the several election districts of said county for the office of member of the twentieth Congressional district of Pennsylvania, to represent the aforesaid district of Pennsylvania in the House of Representatives, forming the Congress of the United States, were delivered to us by the prothonotary of said court, and opened by us, and duly computed by our order and in our presence

according to law, and the votes for said office having been carefully added together, it appeared that for member as aforesaid—

Seth H. Yocum had twenty-two hundred and twenty votes (2,220).

Andrew G. Curtin had fourteen hundred and fifty-five votes (1,455).

And to execute on the part of the county of Union the duty enjoined by law in accordance with the thirteenth section of the act entitled "A further supplement to the act regulating elections in this commonwealth," approved the 30th day of January, A. D. 1874, we hereby appoint Samuel Marshall to be a return judge to take charge of this certificate, and to produce the same at a meeting of one judge from each county composing the district aforesaid, to be held at Bellefonte, in the county of Centre, on the 12th day of November, A. D. 1878, according to law.

In testimony whereof we have hereunto set our hands and caused the seal of said court to be affixed this 7th day of November, A. D. 1878.

JOSEPH C. BUCHER,
President Judge.

[L. S.]

Attest:

C. H. HASSONPLUG,
Prothonotary.

STATE OF PENNSYLVANIA,
County of Union, ss :

I, C. H. Hassonplug prothonotary of the court of common pleas in and for the county and State aforesaid, do hereby certify that the above is a true copy of the return (where two or more counties elect together) of the election held November 5th, A. D. 1878, and that the same is as full, correct, and entire as the same remains on file in my office.

In testimony whereof I have hereunto set my hand and the seal of said court at Lewisburg, this 17th day of March, A. D. 1879.

[SEAL.]

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 5.

Triplicate election return.

We, the undersigned, elected and sworn according to law, inspectors and judge of the election held on Tuesday, the fifth day (being the first Tuesday after the first Monday) of November, A. D. 1878, at the house of Young's Hotel, in the west ward of Mifflinburg, Union County, do certify that upon closing the polls and counting the votes it appeared that for—

CONGRESS.

Andrew G. Curtin.....	77
Seth H. Yocum.....	80

In testimony whereof we, the inspectors and judge of election aforesaid, have hereunto set our hands and seals the fifth day of November, A. D. 1878.

(Signed triplicate.)

ENOCH MILLER, [SEAL.]
Inspector.

J. L. STRONG, [SEAL.]
Inspector.

C. S. ZELLERS, [SEAL.]
Judge.

Attest:

R. T. BARBER,
JOHN RISHEL, *Clerks.*

NOTE.—Three of these returns must be signed by the officers and certified by the overseer, if any. Any officer or overseer refusing to sign

or certify shall endorse the reasons of his refusal on each return. One return with the tally-paper list of voters and oath of officers is to be placed in an envelope, sealed up, and delivered with the unsealed return sheet to the judge of election. One of the returns is to be placed in the ballot-box, sealed up with the ballots. The third return is to be sealed up in an envelope, and given to the minority inspector. All three returns are to be sealed up in the presence of the officers.

STATE OF PENNSYLVANIA,
County of Union, ss :

I, C. H. Hassonplug, prothonotary of the court of common pleas of Union County and State aforesaid, do certify that the above and foregoing is a true and correct copy of the triplicate return election return of the west ward of the borough of Mifflinburg, as filed in my office for the election held Nov. 5, A. D. 1878.

In testimony whereof I have hereunto set my hand and the seal of said court at Lewisburg this 17th day of March, A. D. 1879.

[SEAL.] C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 6.

Abstract of tally-sheet at the opening of the election returns before court, November 7, A. D. 1878.

	FOR CONGRESS.	
	Seth H. Yocum.	Andrew G. Curtin.
Buffalo.....	223	141
East Buffalo.....	181	66
West Buffalo.....	142	106
Gregg.....	106	115
Hartley.....	133	122
Hartleton.....	35	33
Kelly.....	166	55
Limestone.....	102	84
Lewis.....	95	63
Lewisburg, N. W.....	180	130
Lewisburg, S. W.....	161	70
Lewisburg, W. W.....	99	51
Mifflinburg, E. W.....	77	59
Mifflinburg, W. W.....	80	77
New Berlin.....	88	60
Union.....	88	74
White Deer.....	264	149
	2, 220	1, 455

STATE OF PENNSYLVANIA,
County of Union, ss :

I, C. H. Hassonplug, prothonotary of the court of common pleas in and for the county and State aforesaid, do hereby certify that the above is an abstract of the vote by districts, as per tally-sheet filed in my office, of the election held November 5, A. D. 1878, and that the same is full, correct, and entire so far as relates to Seth H. Yocum and Andrew G. Curtin, for members of Congress.

In testimony whereof I have hereunto set my hand and the seal of said court, at Lewisburg, the 17th day of March, A. D. 1879.

[SEAL.] C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 7.

Tally-paper of votes given for each candidate by the male taxable persons inhabiting within the seventeenth election district, who voted at the election held at the house of Young's Hotel, in the said election district, in the county of Union, in the commonwealth of Pennsylvania, to wit:

FOR CONGRESS.

Andrew G. Curtinv, v, v, v, v, v, v, v, v, v, v, v, v, v—70
Seth H. Yocumv, v, v, v, v, v, v, v, v, v, v, v, v, v—80

STATE OF PENNSYLVANIA,

County of Union, ss:

I do hereby certify that the above and foregoing is a true and correct copy of the original tally-paper of the west ward of the borough of Mifflinburg, in said county, remaining on file in my office, of the election held November 5, A. D. 1878.

In testimony whereof I have hereunto set my hand and seal of office, at Lewisburg, this 17th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 8.

List of voters at general election November 5, 1878.

At a general election in the seventeenth election district in the county of Union, in the commonwealth of Pennsylvania, held at Young's Hotel, in the west ward, borough of Mifflinburg, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the fifth day of the month), in the year A. D. 1878.

- | | |
|--------------------------|-----------------------|
| 1 J. G. Anspach | 24 Thos. B. Bogenreif |
| 2 Samuel Schoch | 25 Doc. J. R. Gast |
| 3 John Badger | 26 John Klepfer |
| 4 Jacob Rhule | 27 John V. Rule |
| 5 John L. Strong | 28 Wm. R. Wagner |
| 6 Milton M. Schoch | 29 S. B. Hoffman |
| 7 W. M. Killinger | 30 Vetallis Walter |
| 8 L. W. Anspach | 31 Wm. H. Kreamer |
| 9 James Haus | 32 G. N. Youngman |
| 10 M. G. Reed | 33 Doc. C. Steans |
| 11 Doc. George S. Kemble | 34 S. P. Myers |
| 12 Enoch Miller | 35 David Housel |
| 13 D. M. Brulaker | 36 Henry Bogenreif |
| 14 Saml. Hoffman | 37 Wm. P. Curbin |
| 15 Geo. W. Schoch | 38 Edwin Morrison |
| 16 Saml. Crommiller | 39 O. P. Mench |
| 17 J. Merill Barber | 40 T. W. Youngman |
| 18 Samuel Swartzlander | 41 James Kelly |
| 19 Henry Gast | 42 H. P. Glover |
| 20 Chas. H. Gutelins | 43 R. T. Barber |
| 21 John Rishel | 44 J. Grier |
| 22 David Tuett | 45 James Chambers |
| 23 Geo. W. Rishel | 46 Henry Glover |

47 William Rule	99 Ephraim Hoover
48 David Keleckner	100 John Clapham
49 J. C. Fees (age)	101 H. P. Iddings
50 James Whilley	102 Wm. Whilley
51 Samuel Simonton	103 Albert S. Gutelins
52 Samuel Shuffler	104 Chas. Lytle
53 Henry Gemluling	105 W. T. Hayes
54 George Schreffler	106 Enoch Kauffman
55 Michal Benfer	107 Wm. Crotzer
56 S. H. Wagner	108 Geo. Shell
57 Emanuel Yearick	109 F. J. R. Zellers
58 James Taylor	110 R. F. Fees
59 W. K. Foster	111 S. P. Snyder
60 F. H. Foster	112 Joseph Bower
61 James R. Zellers	113 David Faust
62 J. M. Stayman	114 H. G. Wolfe
63 T. M. Getgen	115 John Gutilins
64 S. S. Barber	116 John Remig
65 Edwin H. Gutelins	117 Wm. Bogar
66 Wm. Rule	118 John Bilger
67 Henry Gutelins	119 Green Dersham
68 R. F. Eaton	120 T. P. Earhart
69 Henry C. Swineford	121 O. P. Badger
70 E. Pontius	122 Dennis Christine
71 Robert Weirich	123 Chas. Weirick
72 Scott Moyer	124 Jacob Royer
73 Geo. Gutelins	125 John Lincoln
74 D. B. Miller	126 Chas. Boop
75 J. T. Gutelins	127 John Rieghard
76 Samuel Getgen	128 Elliott Gutelins
77 Augustus Heiter	129 Calvin Badger
78 Gilbert Schoch	130 John C. Rishel
79 Daniel Moyer	131 Henry Swineford
80 Daniel Raker	132 Chas. S. Zellers
81 James Moss	133 A. J. Kathennan
82 John Rahn	134 Joseph Boop
83 Henry Strunk	135 Charles Fees
84 John Hayes	136 Wm. Hursh
85 J. V. Barber	137 J. W. Cole
86 S. H. Omig	138 Geo. Moss
87 Newton Kenisher	139 Isaaiah Henry
88 Robert Wendell	140 T. L. Walton
89 Peter Grove	141 Thos. Parker
90 L. S. Bender	142 David F. Gutelins
91 A. K. Iddings	143 Wm. H. Smith
92 Reuben Walter	144 Wm. Forest
93 John Gotshall	145 Chas. Gutelins (age)
94 Albert Forster	146 Jos. Miller
95 H. C. Clapham (age)	147 Chas. Swineford
96 Daniel Moss	148 John G. Miller
97 Jos. Gotshall	149 Wm. Stetler
98 Alex. Frederich	150 Alx. Dersham

STATE OF PENNSYLVANIA, *County of Union*, ss :

I do hereby certify that the above and foregoing is a true and correct copy of the original list of voters of the west ward of the borough of

Mifflinburg, in said county, remaining on file in my office, of the election held November 5, 1878.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg, this 17th day of March, A. D. 1879.

[SEAL.]

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 9.

List of voters, west ward, Lewisburg, Union County, Pennsylvania, as shown by the assessment of said district for the year A. D. 1878, as the registry is mislaid or lost.

Augstadt, B. F.	Hempfield, Jacob	Paul, George
Aiken, Jams	Hess, Samuel	Poeth, Henry
Brown, Cyrus	Haas, Henry	Poeth, William
Brown, R. F.	Hafer, James	Paul, S. W.
Brown, Daniel	Hooveman, James	Poeth, Joseph
Bucher, J. C., Rev.	Hiles, Isaac	Pross, L. D.
Brocius, Isaac	Hiles, Howard	Pross, Armstrong
Bond, Seth	Hauck, Benjamin	Poeth, James F.
Bickel, Samuel	Houghton, James	Reitmyer, Wm. T.
Bickel, Mahlon	Horam, Jacob	Roland, Weidler
Brokaw, N.	Himmelreich, T. Linn	Ross, Jos. B.
Bell, Charles, (col.)	Hummel, Francis	Rowe, John
Bellman, William	Harris, B. B.	Reidabach, Daniel
Brant, Harry	Hempfield, Henry	Reitmeyer, J. G.
Bell, Wm. F.	Houghton, Wesley	Roland, George
Bickel, Aaron	Heiser, Edward	Sleifer, A. E.
Bickel, Ammon	Horam, Adam	Shaffer, Abraham
Cromly, Levi	Jones, Jonathan	Shoemaker, Thomas
Cornelius, James F.	Kelly, John	Smith, Michael
Cornelius, Jesse M.	Kelly, Josiah	Schochnessy, John
Cornelius, Howard F.	Kerstetter, Charles	Strickland, Jerry
Clingan, Wm. S.	Kemerer, William	Schwenk, Abraham
Cawley, Benjamin	Kelly, Fred. M.	Shamp, David
Cornelius, Jackson	Kelly, Thomas	Stannest, Wm.
Driesbach, Martin	Lindig, C. F.	Seaman, Jonathan
Dieffenderfer, Sol.	Lenhart, William	Stine, Gabriel
Donachy, Wm. O.	Lilly, John	Simmons, Samuel
Donachy, Thomas	Lilly, John, jr.	Sanders, S. H.
Derr, Geo. L.	Musser, Joseph	Shreffler, Isaac
Davis, Wm. A.	Meixell, Peter	Stack, Wm. D.
Donachy, John	Myers, John	Smith, Jacob W.
Donachy, Abner	Martin, E. L.	Strouse, Emanuel
Donachy, Milliard	Moyer, Zack	Shreffler, Thomas
Donachy, Charles	McLane, John	Shamp, James
Evans, J. M.	McCurdy, S. O.	Thomas, W. P., Rev.
Frain, George	Murphy, James	Thatches, James
Finnafrook, William	Mensch, Edward	Townsand, Wm.
Gibson, John	Nyhart, John	Walls, Arther
Gibson, William	Nelson, Milton	Walls, John
Getz, Uriah	Noll, John R.	Wilson, James B.
Gussler, Isiaiah	Oberdorf, Samuel	Wolfe, Simon
Getz, D. H.	Pursell, Dennis	Wendel, Harvey
Heiser, Daniel	Pross, John	Wensel, John W.
Harris, Emanuel	Pross, Garrison	Wensel, James

Wise, Peter
 Winter, John, Rev.
 Wallace, George
 Wagner, Isaac H.
 Wertz, Alphas

Wendel, Wilber
 Wendel, Clarence
 Young, Solomon
 Young, Wm. H.

* Yoder, John S.
 Yoder, Wm. E.
 Zentmyer, Joel
 Zerfass, John

STATE OF PENNSYLVANIA,

Union County, ss :

I do hereby certify that the within is a full, true, and correct list of the voters of west ward, Lewisburg, Pa., for the year A. D. 1878, as shown by the assessment (as the registry list is mislaid or lost) and 60-day assessment made by the assessor of said district, and on file in the commissioners' office in said county.

In testimony whereof I have hereunto set my hand and seal of commissioners' office at Lewisburg, Union County, Pennsylvania, this 17th day of March, A. D. 1879.

[SEAL.]

PETER HURSH,
Clerk of Commissioners' Office.

EXHIBIT D. B. M. No. 10.

List of voters at general election November —, 1878.

At a general election in the sixteenth election district in the county of Union, in the commonwealth of Pennsylvania, held at the west ward school-house in the borough of Lewisburg, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the fifth day of the month), in the year A. D. 1878.

- | | |
|---------------------------|--------------------------|
| 1 Isaac Hiles | 26 William Kemery |
| 2 Howard Eiles | 27 Adam Strickland |
| 3 Malem Bickel | 28 William Loyd |
| 4 John Lilley | 29 Noah Loyd |
| 5 Joseph Musser | 30 John Loyd |
| 6 William H. Musser (age) | 31 Nicholas Brokaw |
| 7 John Zearfoss | 32 James N. Thatcher |
| 8 John Myers | 33 Leopold Koch |
| 9 Josiah Kelly | 34 George Roland |
| 10 John Gibson | 35 Edwin S. Heiser |
| 11 Daniel Heiser | 36 W. T. Grier |
| 12 Benjamin Colley | 37 James Akin |
| 13 Thomas M. Donachy | 38 Frederick M. Kelly |
| 14 William Leonard | 39 Peter Meixell |
| 15 R. F. Brown | 40 Joel Zentmyer |
| 16 Abner L. Donachy | 41 Charles Bell |
| 17 John Kelly | 42 Ammon W. Bicket |
| 18 David H. Getz | 43 James Hafer |
| 19 Larrison Pross | 44 Jacob L. Hempfield |
| 20 J. C. Bucher | 45 Thomas Shumaker |
| 21 George D. Frain | 46 William H. Young |
| 22 Samuel Simmons | 47 Henry C. Poeth |
| 23 John L. Donachy | 48 Soloman Dieffenderfer |
| 24 James B. Wilson | 49 John H. Gray |
| 25 William Fineyfrog | 50 George M. Bennet |

51 Samuel Bichel	102 B. F. Augstadt
52 T. H. Cornelius	103 S. H. Sanders
53 John Lilley	104 David Shamp
54 Samuel Hess	105 Millard Donachy
55 Charles Donichy	106 Lin T. Hemmelreich
56 William T. Reitmyer	107 William Loyed
57 Uriah P. Getz	108 Aaron Bickel
58 James W. C. Shamp	109 Abraham Swenk
59 Wesley W. Wolfe	110 John Pross
60 John S. Yoder	111 John Row
61 Benjamin Hauck	112 P. N. K. Swenk
62 William Bellman	113 Jonathan Jones
63 C. H. Wendel	114 Joseph Ross
64 Martin Dreisbach	115 S. W. Paul
65 Francis Hummel	116 Miles Evans
66 David Williams	117 William Bell
67 William Clingan	118 Armstrong Pross
68 J. G. Reitmyer	119 Milton Nelson
69 William Stannert	120 Samuel Brocious
70 Michael Smith	121 Jonathan Seaman
71 John H. Bitzer	122 Samuel Overderf
72 John Noll	123 S. O. McCurty
73 William D. Slack	124 Gabriel Stein
74 Jacob W. Smith	125 Jeremiah Strickland
75 John W. Hensel	126 John Shocnecy
76 John Neyhart	127 Wilbert Wendel
77 Simon Wolf	128 James F. Poeth
78 Alfred E. Slifer	129 William Poeth
79 John McClane	130 I. H. Wagner
80 Wesley Thomas	131 Levi Cromly
81 James Wensel	132 Z. T. Moyer
82 Abraham Shafer	133 Isaac Brocious
83 Cyrus Brown	134 Wilder Roland
84 Arthur Walls	135 George L. Daw
85 Emanuel Strouse	136 John Walls
86 Daniel Brown	137 Edward Mensch
87 A. J. Cornelius	138 C. F. Lindig
88 B. B. Harris	139 Wesley Houghton
89 Henry Haas	140 William E. Townsend
90 L. D. Pross	141 Dennis Pursel
91 James Herveman	142 Isaah Gusler
92 Thomas T. Stanard	143 Frederick Davis
93 Charles W. Kersteder	144 James F. Cornelius
94 Isacc Schrefler	145 William Gibson
95 Daniel Raidabach	146 Seth M. Bond
96 James Houghton	147 W. O. Donachy
97 Jacob Horam	148 Solomon Young
98 Adam Horam	149 Alfred Wertz
99 James B. Murphy	150 William E. Yoder
100 Henry L. Hempfield	151 Henry Brant
101 Jersey M. Cornelius	152 George Paul

DANIEL BROWN, *Clerk.*

STATE OF PENNSYLVANIA,
County of Union, ss :

I do hereby certify that the above and foregoing is a true and correct copy of the original list of voters of the west ward of the borough of

Lewisburg, in said county, remaining in my office on file, of the election held November 5, A. D. 1878.

In testimony whereof I have hereunto set my hand and seal office, at Lewisburg, this 17th day of March, A. D. 1879.

[SEAL.]

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 11.

List of registry of voters of Union Township, Union County, Pennsylvania, for the year A. D. 1878.

Ammon, B. C.	Fackenthall, A. J.	Maize, Aaron
Burns, Christian	Gross, David	Myers, J. S.
Burns, Samuel	Gemberling, Samuel	Meckley, J. S.
Bennett, Noah	Guise, Wm.	Maize, John
Bower, Henry	Geiger, M. D.	Meckley, George
Bower, William	Guise, Samuel	Mertz, Isaac
Beaver, Elias	Good, Alfred	Mills, Martin
Berge, Samuel	Hood, William	Markel, John
Boyer, Jesse	Hess, John A.	McPherson, James
Beaver, Elias, jr.	Hagerday, John A.	Maize, V. H.
Betzer, George W.	Hess, John, jr.	Moyer, Samuel
Bese, Peter	Harman, Reuben	Meckley, Wm.
Bender, John	Hoffecker, William	Nyce, Philip L.
Bender, Jacob	Hess, Wm.	Nickel, Augustus
Brennan, Edward	Hess, William, jr.	Newman, Lewis
Bennett, Robert	Holsman, Alexander	Nyce, Levi (age)
Beaver, Levi	Hummel, Jonathan	Oldt, Charles
Burns, F. P.	Haines, Amos	Oldt, Michael
Bennett, Peter	Haines, William	Oldt, Anos
Bennett, James (age)	Hess, Francis	Oldt, Willard
Cochran, Isaac W.	Jones, James (col.)	Pursell, Thomas
Crabb, John	Kunkel, John	Penny, George
Crabb, John, jr.	Kreamer, Elias	Price, George (col.)
Campbell, Jacob	Kaler, Thomas	Parker, Mahlon
Crabb, Daniel	Kunkle, Adam	Pursell, Daniel
Corkeser, John	Krebbs, Wm.	Quigley, John
Coyle, Hugh	Krunkel, John R.	Ritter, Samuel
Chapple, Jason	Kline, G. M.	Richardson, William
Chapple, C. D.	Kunkel, Martin	Rowe, William
Chapple, John	Kreamer, J. D.	Rocke, Levi
Corkeser, Henry	Kessler, Benjamin	Ritter, James
Derk, George	Lepley, Isaac	Renn, John
Drum, John	Long, Solomon	Rowe, Joseph
Drum, William	Lloyd, George	Ragen, Morris
Dries, Joseph	Lloyd, Wm.	Sargent, Joshua
Davis, Jacob	Lloyd, Joseph	Stittler, Isaac
Dater, Lewis	Long, Theodore	Sassaman, Jonah
Duck, Frederick	Lepley, John	Snyder, Ira
Dunlap, James (col.)	Lepley, Samuel (age)	Stall, Henry
Derk, Henry F.	Moyer, Michael	Slear, Michael
Eyer, Isaac	Moyer, John	Swager, Joel
Eyer, J. W.	Maize, Michael	Seibold, Jacob
Elliott, Adam	Moyer, Henry	Slifer, George M.
Epenstine, Cyrus	Miller, Henry	Snyder, Simon
Fetter, Aaron	Meakley, David	Snyder, Henry

Shannon, John	Sergeant, Lewis	Sassaman, Henry
Slear, Howard	Sergeant, Calvin	Trutt, Michael
Snyder, William	Shannon, Thomas	Trutt, Peter
Shannon, William	Shannon, Joseph	Trutt, Daniel R.
Shiffer, William	Sandel, George	Troxell, John F.
Strickland, James H.	Selvenwood, Mathias	Trutt, Henry
Schofield, Alexander	Stettler, Valentine	Ulrich, William
(col.)	Sandle, Frank	Van Buskirk, Aaron
Snyder, Emanuel	Sassaman, Martin	Young, Philip
Snyder, James	Snyder, Frank	Youngman, John
Shadle, Henry	Stettler, Elias	Young, William
Sassaman, Daniel, jr.	Stettler, John	Young, P. F.
Smedley, F. J.	Selser, Lewis	Young, Joseph

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a true, and corect list of voters of Union Township, in said county, for the year A. D. 1878, as shown by the registry-list and sixty-day assessment made by the assessor of said township and on file in the commissioners' office.

In testimony whereof I have hereunto set my hand and the seal of the commissioners' office of Union County, at Lewisburg, the 25th day of March, 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M. No. 12.

Registry list of voters of East Buffalo Township, Union County, Pennsylvania, for the year A. D. 1878.

Aurand, Abraham	Brown, S. P.	Engle, James P.
Anderson, John	Brown, E. J.	Fetter, Cyrus
W. P. Baker	Brown, W. F.	Frederick, Abraham
Brown, Elias	Baker, Charles (age)	Frederick, Elias
Brown, John	Baker, Charles B.	Frederick, Philip
Brown, Henry	Brown, Francis E. (age)	Frederick, Jacob
Brown, Abraham G.	Chappell, Stephen D.	Fangbone, James
Brown, Peter W.	Cromley, George	Fisher, Noah
Brown, Samuel	Cornelius, Silas	Fox, Joseph
Brown, Wm. W.	Cornelius, Theodore	Farley, A. W.
Brown, Peter	Crabb, Samuel	Frederick, John C.
Betzer, George	Chapple, W. C.	Frederick, Walter
Broomgard, John L.	Creamer, M. W.	Fangbone, A. H.
Burris, Andrew	Dunkel, Samuel	Gundy, Adam
Beaver, Isaiah	Dewire, John	Gundy, Jacob
Bohr, John	Dewire, Thomas	Gundy, Elias
Berry, S. J.	Dewire, William	Gundy, John A.
Baker, Noah	Duck, Simon	Gundy, John C.
Baker, Edward G.	Donachy, George	Groover, Nicholas
Beacham, John	Dunkel, John W.	Groover, Henry
Brobst, Samuel	Dewire, Oliver	Gussler, Henry
Bolenger, John	Donachy, G. A.	Getz, Henry
Brown, Isaac W.	Dondore, S. H.	Giboney, Jacob
Brown, J. W.	Dewire, Albert	Getz, Peter
Brown, Frank W.	Erdley, Frank	Gellinger, Charles
Brown, B. O.	Engle, Jacob	Gundy, C. V.

Gellinger, Jackson
 Gellinger, John
 Gellinger, Henry
 Gundy, Wm.
 Gundy, Samuel F.
 Gundy, Abraham
 Gundy, James P.
 Getz, John W.
 Giboney, Frank
 Getz, William
 Harris, Wm. L.
 Hubler, John
 Hummel, John B.
 Hile, William
 Hubler, Isaac
 Hafer, Daniel
 Hursh, B. F.
 Herbst, W. B.
 Heffman, Noah
 Hummel, Martin
 Holmes, H. H.
 Hollenbach, Wm.
 Hubler, Thomas J.
 Irvin, W. B.
 Johnson, Joshua
 Knease, Alfred
 Kneisley, Frederick
 Kaler, Reuben
 Kessler, Aaron
 Kunkel, George
 Kunkel, Jacob
 King, John P.
 Kennel, Samuel
 Keiser, William
 Kreisher, Jacob
 Kunkel, Samuel
 Kling, George
 Kiester, Wm.
 Kurtz, Abraham
 Kaller, Jefferson
 Kenny, Henry
 Keefer, Martin
 King, John M.
 Kunkel, Joseph
 Kling, M. C.
 Kurtz, John
 Long, Benjamin
 Long, John
 Lewis, A. S.
 Leiby, John
 Lepley, James
 Lenhart, Charles
 Long, Harrison
 Long, Jacob
 Long, Daniel
 Lenhart, Jacob

Miller, Daniel
 Miller, Samuel F.
 Miller, John
 Miller, Frank
 Mertz, Henry
 Machmer, Jacob
 Mattis, Samuel
 Mowery, James M.
 Moyer, Samuel
 Mouser, Noah
 Mowery, Abraham
 Miller Andrew
 Messersmith, D. F.
 Martin, Wm.
 Mertz, Abraham
 Mills, Charles
 Machmer, Wm. R.
 Mattis, Wm. N.
 Mertz, Jacob
 Moyer, John
 Miller, M. R.
 Noll, Martin
 Neiman, Samuel
 Noll, Michael
 Noll, Moses
 Noll, Mathias
 Nyhart, Jacob F.
 Noll, Levi
 Nevel, Wilson
 O'Macht, George
 Owens, John A.
 Price, John E.
 Picton, Joseph
 Poeth, Theodore
 Pierce, A. H.
 Poeth, John
 Reber, John
 Reber, Isaac
 Ream, David
 Ritter, Jerry
 Riehl, Joel
 Reichley, George
 Royer, David
 Riehl, Elias
 Reamer, J. C.
 Reuthruff, Samuel
 Reichley, William
 Rote, Joseph
 Ranck, M. J.
 Ranck, John H.
 Rute, Elias
 Rute, Beneville
 Reichley, Daniel
 Ritter, Wm. P.
 Royer, Adam F.
 Ranck, L. L.

Reamer, Wm. C.
 Richley, John
 Riehl, John
 Riehl, Joel L.
 Riehl, Samuel
 Rote, John H.
 Richley, D. H.
 Riehl, E. B.
 Ream, Wm.
 Reichley, John J.
 Ruthruff, D. R. (age)
 Riehl, J. L.
 Slear, Nathan
 Smith, David
 Smith, John G.
 Smith, Wm. G.
 Smith, Henry
 Schrack, John S.
 Strohecker, John
 Slear, Noah
 Stableton, Wm.
 Strayhan, T. G.
 Stevenson, Hiram
 Stahl, Wesley
 Strohecker, Wm.
 Sampsel, James
 Smith, Spyker
 Smith, Jacob M.
 Smith, Frank
 Stine, John
 Schrack, Wm.
 Stahl, Jacob M.
 Schrack, Addison
 Smith, Jacob H.
 Sterner, I. S.
 Stine, G. P.
 Stuck, James
 Smith, John
 Schrack, John D.
 Stapleton, D. P.
 Schrach, Charles (age)
 Stafford, James (col.)
 Vounieda, Solomon
 Wolfe, George
 Wolfe, Michael
 Wolfe, Samuel
 Wolfe, Daniel
 Wertz, John
 Wertz, William
 Walter, Thomas
 Walter, E. B.
 Walter, Daniel
 Winegarden, Wm. H.
 Wolfe, J. H.
 Wolfe, Henry
 Wingert, J. H.

Wagner, G. H.	Winegarden, Benjamin	Young, Wm. H.
Wolfe, Hiram	Wertz, Henry	Yeager, Abraham
Wertz, Thomas	Wolfe, Aaron	Young, Jacob
Walter, James C.	Walter, O. T.	Yeager, Andrew
Weidensaul, R. J.	Wolfe, George, jr. (age)	Zook, Joseph
Wolfe, H. W.	Wertz, Howard (age)	Zeller, John F.
Wolfe, Martin D.	Young, Levi	Zeller, Samuel F.

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full, true, and correct list of the voters of East Buffalo Township in said county, for the year A. D. 1878, as shown by the registry list and 60-day assessment made by the assessor of said township, and on file in the commissioners' office.

In testimony whereof, I have hereunto set my hand and the seal of the commissioners' office of Union County, at Lewisburg, the 25th day of March, A. D. 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M. No. 13.

Registry list of voters of Buffalo Township, Union County, Pennsylvania, for the year A. D. 1878.

Arbergast, Levi	Baker, Henry	Couster, Adam
Arbergast, Robert	Beck, Joseph	Crevelling, O. C.
Anderson, John	Bender, John	Comley, Edward
Adams, Henry	Brown, Henry C.	Crouse, Emanuel
Arbergast, Robert, jr.	Brown, Matthew	Conrad, George B.
Arbergast, Michael	Brown, John	Campbell, William
Bowen, Irvin	Baker, G. W.	Campbell, John
Beck, W'm D.	Bressler, B. F.	Dunkel, Martin
Boyer, Leonard S.	Bixler, Isaac	Dunkel, Michael
Baker, Addison	Burd, Samuel	Dunkel, John C.
Baker, William	Berry, Isaiah	Diehl, Philip
Bohr, Peter	Berry, David C.	Dauberman, Lewis
Beeber, David	Bilger, W. W.	Dieffenderfer, Philip
Beck, John	Balliett, Henry	Dieffenderfer, Joseph
Barber, Aaron W.	Crevelling, Cryus	Deiffenderfer, A. K.
Baker, Samuel R.	Cornelius, Tho's B.	Derr, George
Benner, Solomon	Cromley, P. F.	Davis, Jos. B.
Baker, Henry	Crouse, Jacob	Dietrich, Benjamin
Biehl, James	Culp, Edward	Dietrich, Samuel
Bubb, Isaac	Connel, Michael O.	Dunkel, John
Broomgard, W'm	Clingman, William	Donachy, John A.
Beehy, Henry	Charles, Jacob	Dietrich, Daniel
Baker, W. H.	Cornelius, Simpson	Duke, William
Brown, Isaac F.	Cornelius, Jackson	Dauberman, Jacob
Boyer, Leonard	Courter, J. W.	Duck, Jacob
Burkholder, Lewis	Catherman, J. H.	Dieffenderfer, George
Brown, W'm X.	Culp, Jonas	Dersham, A.
Burk, George	Cromley, Reuben	Dondore, Samuel
Bressler, Jacob	Culp, Wilson	Duke, Henry
Blyler, Henry	Cromley, Wesley	Dreisbach, Jacob
Bingaman, Isaac	Cromley, Henry	Dreisbach, Thomas
Bower, J. F.	Cook, H.	Dieffenderfer, Jacob

Diehl, Solomon	Hauck, Levi	Lahr, John M.
Dauberman, Abraham	Hartman, John	Laudenslager, Henry
Dauberman, James	Hendricks, Wm.	Leiby, William
Erb, Jacob	Heimbach, Robert	Love, James
Eddinger, Daniel	Heiser, Charles	Linch, George
Fangbone, Theodore	Hendricks, Frank	Lesher, Andrew
Fetter, Benjamin	Hendricks, Lewis	Lyddington, G. F.
Fetter, Aaron	Harman, Jesse	Musser, William
Fox, John	Hamler, Howard	Mathers, Wm.
Frederick, Frank	Hopp, Thomas	Mook, Solomon
Feaster, George W.	Helwig, John D.	Muffley, Daniel
Fox, Emanuel	Irvin, James	Mook, Jacob
Fetter, Benjamin, jr.	Irvin, Lot W.	Musser, Samuel
Frock, Henry	Item, Henry	Miller, Henry
Fetterhof, Dr.	Ikes, Samuel	Miller, John S.
Ford, George	Irvin, J. C.	Minium, John
Fetzer, Jacob K.	Irvin, J. W.	Miller, Michael
Gebhart, Daniel	Jordon, Richard M.	Moyer, David
Gearhart, Manapeh	Jowes, John	Meusah, Abraham
Glick, Samuel L.	Jowes, Henry	Miller, Philip
Gross, Wilson	Krick, William	Mussina, H. B.
Glick, John	Krick, John	Mussina, W. B.
Gellinger, Robert	Krick, W'm J.	McFall, Charles A.
Glick, Samuel	Koser, Pharez	Miller, Peter
Glase, James	Koser, John, jr.	Miller, Isaac
Gemberling, Lewis	Kale, Joseph	Meixell, Elam
Geyer, Abraham F.	Klingler, Henry	Miller, W. S.
Groff, Amos	Kurtz, Benjamin	Miller, Levi
Glick, Jacob	Koser, Samuel	Miller, Aaron
Glover, George	Koser, Levi	Magee, Lewis
Gross, Charles	Kelly, James A.	Miller, John
Glase, Samuel	Kleckner, Joseph	Miller, Jonathan
Gebhart, G. N.	Klingman, Jonathan	Mertz, Peter A.
Getz, Samuel	Koser, John C.	McCreight, J. S.
Glover, William	Kleckner, Martin J.	Minium, Benjamin
Glase, Samuel R.	Koser, Jackson	Miller, Elias
Heimbach, William	Klingman, Wm.	McClellan, Samuel
Heimbach, Samuel	Klingman, Geo. S.	Miller, George A.
Heimbach, John H.	Kellinger, W. M.	Mertz, N. D.
Hummel, Noah	Koser, Levi	Minnim, John, jr.
Heimbach, Jonathan	Krick, Peter	Moyer, David
Hendricks, Abraham	Klose, Solomon	Mauck, John H.
Hauck, Thomas	Kerstetter, William	Miller, Reuben
Hoy, Yost	Kelley, James B.	McCreight, D. B.
Hamler, David	Kelley, H. B.	Muffley, William
Hamler, Adam	Kleckner, Tayler	Muffley, Samuel L.
Hamler, John	Kaufman, Abraham	Meixell, Newton
Heiser, William	Klingler, Charles	Magee, Frank
Hauck, Andrew	Knarr, Morgan	Miller, George
Heiser, George	Keister, Reuben	McPherson, Joseph
Hendricks, Chas.	Kase, Reuben	Nyhart, Jacob
Hamler, Daniel	Koser, Elias	Newman, John
Hanson, Lewis	Koser, Aaron	Nogle, Aaron
Hummel, John	Linn, Wm. T.	Noll, Emanuel
Himmelreich, G. W.	Lindenmuth, Wm. W.	Noll, Geo. P.
Himmelreich, James	Lesher, John	Neff, H. E.

Newbury, Jesse
 Neese, George
 Nyhart, John
 Nyhart, Reuben
 Ort, Philip
 Page, Christian
 Pontius, John N.
 Pontius, Emanuel
 Pontius, B. F., Dr.
 Pontius, F. V.
 Page, David
 Parvin, Thomas
 Page, John
 Reedy, Laird
 Reigel, Frederick M.
 Reed, Martin D.
 Raudenbush, J. S.
 Renner, William
 Renner, Conrad
 Reed, William
 Rearer, Albert
 Ruhl, Andrew
 Ruhl, Philip
 Renner, Daniel M.
 Rishell, A. J.
 Ruth, Isaac
 Renner, Peter
 Renner, W. M.
 Ritter, Noah
 Royer, David H.
 Reedy, Emanuel
 Rangler, Daniel
 Reedy, John
 Ruhl, George
 Renner, Peter, jr.
 Reidabach, Jerry
 Reedy, Jonathan
 Renner, B. F.
 Rearer, John K.
 Reedy, Joel
 Rennert, Walter
 Ruhul, Israel
 Ruhl, D. Linn
 Reedy, A. E.
 Renner, Jacob
 Renner, Emanuel
 Rangler, Benjamin
 Reher, John
 Reher, Benjamin
 Reed, John H.
 Renner, Wilson
 Reimert, W. H.
 Ruth, John
 Stahl, Samuel
 Seibert, Joseph

Stahl, Daniel
 Shadle, T. M.
 Stulsman, Wm.
 Stahl, Adam
 Stahl, Ammon
 Swartzlander, John
 Simonton, James (son of Samuel)
 Smith, William
 Thompson, G. C.
 Thompson, B. F.
 Turner, Job
 Turner, Lewis
 Treaster, Reuben
 Troxell, Abraham
 Thornton, John
 Troutman, John
 Spotts, William
 Shall, Jonathan
 Simonton, John W.
 Steans, William
 Simonton, William
 Simonton, Samuel
 Stadden, J. Harvey
 Shadle, John
 Stahl, Joseph
 Swartzlander, Solomon
 Shingle, John
 Stroble, Richard
 Slear, James
 Slear, George
 Slear, Charles
 Spotts, Frank
 Shriner, Joseph W.
 Smith, Wm. H.
 Spangler, Joseph
 Spiglemyer, John
 Smucker, David H.
 Saxton, John
 Stahl, William
 Smith, William
 Schrack, Samuel
 Siebert, John
 Swartz, Abraham
 Snyder, William
 Stout, Daniel
 Schrack, James P.
 Struble, John C.
 Stout, John
 Smith, Henry C.
 Spiglemyer, Abraham
 Shaffer, John
 Swartz, Hugh
 Shively, Geo. A.

Sloat, Michael
 Schrack, John F.
 Swartzlander, N. A.
 Sowers, Samuel
 Simonton, James
 Stottzfus, John
 Sowers, Henry
 Stahl, Peter S.
 Shroder, Jacob S.
 Stahl, Peter
 Stahl, Philip
 Stahl, David
 Swarts, William
 Snyder, Nathaniel M.
 Smith, John B.
 Strayhan, Robert
 Stahl, George
 Thatcher, A. B.
 Vannieda, John
 Vannieda, David
 Vannieda, Joseph
 Vannied, William
 Vannied, Samuel
 Wilson, Wm. L.
 Whitman, Franklin
 Wise, Samuel
 Wise, Jacob
 Walter, John
 Walker, Joseph
 Walker, Wm.
 Wolfe, G. J.
 Wolfe, Emanuel
 Walker, William
 Weaver, John
 Wittes, John
 Weiser, Joshua
 Wagner, O. T.
 Walker, Josiah
 Walborn, William
 West, Michael
 Wolfe, Samuel
 Walter, Henry
 Weaver, Henry
 Webner, Chas.
 Walker, Wm., jr.
 Young, William
 Young, George W.
 Young, William
 Young, James W.
 Ziebach, Jacob
 Zechman, Charles
 Zubler, Henry
 Ziegler, G. W.
 Zubler, Adam

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full, true and correct list of voters of Buffalo Township in said county for the year A. D. 1878, as shown by the registry list and 60-day assessment made by the assessor of said township and on file in the commissioners' office.

In testimony whereof I have hereunto set my hand and the seal of the commissioners' office of Union County, at Lewisburg, this 25th day of March, A. D. 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M., No. 14.

Registry list of voters of Whitedeer Township, Union County, Pennsylvania, for the year A. D. 1878.

Brown, George B.	Beck, Joseph	Brown, Abraham
Black, James	Baker, Jonathan	Browand, John R.
Black, David	Beck, John M.	Baker, George
Bennage, Samuel	Balliett, Thomas	Berheimer, Wm.
Browand, Martin	Baker, Jacob	Buck, David
Browand, Rudolph	Baker, Amos	Buck, Wm. N.
Brown, Wm. W.	Bennage, John R.	Broomfield, Jacob
Brinzenhof, C. W.	Bidding, Lewis	Bickel, Joseph
Brinzenhof, Charles	Barnhart, Jacob	Bennage, W. John
Baker, Samuel	Bechtell, Jacob	Bastian, Charles
Brinzenhof, Jerome	Berkenstock, F. W.	Case, Godfrey
Bergenstock, David	Baker, Moses	Candor, Robert
Biddle, Wm. S.	Bastian, Horace	Corry, J. K.
Bennage, Daniel.	Baker, George	Campbell, Jerry
Becher, Joseph	Baker, Michael	Clemence, John
Blind, Wm. H.	Bell, Wm. C.	Campbell, John H.
Blind, Conrad	Bennage, Jonathan	Chenerg, George W.
Buck, Jacob	Brussler, Albert	Clouser, Wm. W., Rev.
Bere, Jefferson	Biddle, Lloyd	Cáse, Caleb
Bastian, Reiley	Bell, Elijah	Conner, Thomas
Bommer, George	Bell, Jerome	Chappell, Asa
Bastian, George	Beck, Elias	Cassler, Theodore
Buck, John	Bastian, Charles	Cannada, Benjamin
Bennage, John O.	Browand, Amos	Creamer, Cram
Becher, Amos	Buck, David	Criswell, Thomas
Beckell, Benevell	Bell, Zechariah	Chase, R. J. M.
Bennage, Henry	Brobst, Daniel	Chisholm, David
Bennage, Enos	Buck, James	Chapple, Isaac
Bennage, Simon	Bade, Thomas	Dieffenderfer, Cyrus
Berkheimer, George	Brader, Joseph	Dieffenderfer, David
Berkheimer, George, jr.	Barnhart, Nicholas	Dieffenderfer, C. T.
Berkheimer, Samuel	Bennage, John S.	Dieffenderfer, Nelson
Beck, Adam	Bruner, Frederick	Dersham, Uriah
Beck, Peter	Baker, John C.	Dietrich, Henry
Baker, Abraham	Brewer, Charles	Dersham, Jacob
Beck, John F.	Bennage, Daniel	Dersham, Jerome
Beck, Samuel	Bennage, David H.	Dersham, Samuel D.
Baker, Benjamin	Buck, Augustus	Dersham, Abraham
Brobst, John	Bell, Charles	Denowskey, A. N.
Brown, Joseph	Bennage, Charles	Delcamp, Chas.

Dieffenderfer, C. A.	Huff, George	Keefer, Levi
Dieffender, Uriah	Huff, Charles B.	Katherman, Jacob L.
Dersham, J. H.	Huff, Joseph B.	Kaufman, D. B.
Davis, Heck	High, Jacob	Keefer, David
Derr, George W.	Hagey, Wm. V.	Kostenbader, Jacob
Dersham, Lewis	Huff, Joseph W.	Kelly, Simon
Dawald, A. C.	Harrison, John	Kase, Reuben
Dennis, William	High, A. C.	Koch, William
Dryer, John	High, Abraham	Keefer, W. W.
Dennis, Charles	Hoffman, George	Klapp, John K.
Dean, John	Hagey, Peter V.	Koch, Samuel
Depo, James	Huff, John B.	Kaufman, Samuel
Ernst, Jacob H.	Hafer, John V.	Klingman, Silas
Engleman, Jacob	Harbster, John	Kock, Levi
Eyer, Michael	Heberling, Henry	Kimple, Philip
Eckert, Abraham	Heberling, Reuben	Keefer, Charles
Elius, Philip	Hause, Emanuel	Keefer, G. W.
Elliott, Charles	Hafer, William	Kouhel, Rese
Eckert, William	Hoffman, Samuel	Koser, Elias
Elliott, Gervis	Hundingdon, John	Koser, Elias, jr.
Engleman, John	Hundingdon, Abraham	Linebach, John
Elius, Philip, jr. (age)	Huff, Theodore	Lodge, Joseph
Fullmer, Henry E.	Harris, Thomas	Lynn, John W.
Farley, Jacob	Huff, John F.	Leib, Abraham
Fisher, Jacob	Hafer, George W.	Lamine, John B.
Fisher, Samuel	High, William	Leiser, Wm. A.
Foresman, John S.	Hagey, Charles	Linebach, Daniel
Fisher, John W.	Hussey, Edward	Lupold, William
Fisher, William	Hause, Peter	Leshner, Wm. R.
Fulbert, Charles	Hunberger, Adam	Linebach, Amos
Green, A. T.	Huff, Charles	Lahr, N. C.
Green, P. M.	Huff, William	Lynn, Isaac
Ginter, Lloyd	Huff, David	Linebach, Ezra
Gemberling, Samuel	Huff David (at Jno. Huff's)	Linebach, Cyrus
Ginter, George	Huff, Thomas	Ludwig, Andy
Garrett, Edward	Hoffman, David	Leib, Roley
Garver, Daniel	Huff, Joseph M.	Lahr, Frank
Geyer, John G.	Huffman, Wm.	Leib, Gabriel
Geyer, Henry	Hawk, David	McCurley, Rolly
Goodlander, Samuel	Huff, James	Marr, James
Geyer, James W.	Hager, Frederick	Moyer, Joseph K.
Gayer, James H.	High, David	Moore, John
Guyer, William	Hill, Jeremiah	Miller, Jacob
Glase, William	Herb, John	Moupeck, Daniel
Gitchell, D. W.	Heller, Joseph	Marshall, Samuel
Geyer, John (H. Geyer)	Jowes, John	Meese, George
Groover, Thomas	Jonthon, Joseph	Moyer, Joseph
Gudy, Kunst C. L.	Kostenbader, Samuel	McCurly, Jacob R.
Ginter, A. S.	Kimple, William	Messersmith, Jesse
Gemberling, Augustus	Kulp, Daniel	Messersmith, Samuel
Green, John	Keener, John	Moll, Henry
Groover, W. E.	Katherman, George	McCollum, Samuel
Goodlander, John	Kohl, Richard	McCurley, Samuel
Gitchell, Benjamin	Koch, John	Mickey, Joseph
Garner, Eli	Ketcham, Peter	Mickey, H. B.
Hoffman, John	Kerns, Isaac	Moyer, Robt. J.
Haag, Andy J.		Meckley, John L.

Moyer, Joseph H.	Reitmyer, Geo. E.	Shutt, William
Moore, Luther	Ritter, James	Seiler, James
Moyer, Wesley	Ritter, Wm. B.	Schreck, George N.
Moore, David	Rauck, Wm.	Sprague, William
McCollum, George	Reepsome, James	Smith, William
Neese, Jacob	Ritter, Amos	Sanders, Wesley
Neeman, James	Reepsome, Wm.	Sanders, Madison
Neese, David	Reepsome, George	Smith, Joseph
Noll, Jacob K.	Rauck, Ed. F.	Smith, Daniel
Noll, James	Rauch, William	Tallman, William
Oakes, John	Ritter, John	Trumpfeller, H. H.
Plummer, Aaron	Shutt, George	Troxell, Jacob
Pauling, S. B.	Sleer, Henry E.	Troxell, George
Paul, Samson	Stahl, Jacob T.	Tate, Samuel
Pick, Daniel	Speese, William	Trate, John, jr.
Peters, Peter	Strawsner, Michael	Trate, Isaac
Pott, William	Seitz, Augustus	Trate, Lot
Powers, James	Speese, Charles	Troxell, T. A.
Platt, Charles	Schreck, John	Weikel, E. H.
Rauck, John, esq.	Shady, Charles	Weikel, Lemuel
Rauck, Thomas	Swartz, Wendel	Wertz, George W.
Rauck, Joseph A.	Smith, Simon	Wertz, Samuel
Rauck, Daniel	Stahl, David J.	Williams, Daniel
Rauck, Solomon	Smith, Adam	Watkins, Joseph
Richart, William	Sanders, Charles	Wertz, Seth
Richart, Albert	Sanders, Theodore	Weaver, Banhart
Reish, D.	Sanders, James	Woolheater, John
Reish, G.	Spittler, Daniel	Walter, Joel
Rauck, Harvey	Showers, Samuel	Walter, John
Royer, Adam	Stadden, William	Weikel, Jefferson
Ritter, Wm. L.	Sassaman, H. P.	Weikel, Josiah
Rauck, John L.	Snyder, Benjamin	Wertz, Jerome
Rauck, Levi	Shelenberger, Emanuel	Williams, Wm.
Rauck, Edward	Strawsner, Jacob	Wertz, Stephen
Rauck, Samuel L.	Sweitzer, T. H.	Weikel, James
Rauck, Lewis	Stull, John	Wyle, A. J.
Rauck, Jacob N.	Shutt, John	Watkins, William
Rauck, John J.	Shaffer, Emanuel	Wentz, William
Rauck, Samuel G.	Sanders, Henry	Weaver, Henry
Reepsome, Philip	Shutt, Samuel	Wertz, Hugh
Reed, Isaac	Shaffer, Joshua	Weikel, A. G.
Rowe, George	Stailey, Thomas	Yoder, Moses
Robison, Jerome B.	Steninger, Emanuel	Yost, James
Rauch, Peter H.	Seiler, Isaac	Yost, Daniel
Ramsey, David	Showers, Abraham	Yost, Henry
Rockefeller, T. M.	Stadden, John	Yoder, Benwell
Reed, Elias	Schreck, William	Yoder, Samuel
Rauck, B. H.	Shirk, Abraham	Young, Reuben
Rine, John	Spittler, Franklin	Yocum, Anthony
Rauck, Lambert	Sassaman, Jacob	Yost, George
Rauck, John A.	Skrine, James	Yost, Samuel
Rauck, M. J.	Smith, D. B.	Yost, Cyrus
Rauck, Urbannus	Shadle, John	Yerger, Henry
Rauck, Reuben	Stahl, James	Zimmerman, Reuben
Rauck, Arthur	Sanders, Alfred	Zong, John
Reader, Wesley	Stahl, B. F.	Zong, Daniel
Reepsome, Philip, jr.		

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full, true, and correct list of the voters of White Deer Township in said county for the year A. D. 1878 as shown by the registry-list and 60-day assessment made by the assessor of said township on file in the commissioners' office.

In testimony whereof I have hereunto set my hand and the seal of the commissioners' office of Union County, at Lewisburg, Pa., this 25th day of March, A. D. 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M. No. 15.

List of voters at a general election November 5, 1878.

At a general election in the second election district in the county of Union, in the commonwealth of Pennsylvania, held at Winfield, in the —, in and for said election district, agreeably to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the fifth day of month) in the year A. D. 1878.

1 B. C. Ammon	35 Peter Trutt
2 Edward Brennan	36 D. R. Trutt
3 Aaron Fetter	37 Elias Beaver
4 Christan Burns	38 John Markel
5 Henry Sassaman	39 William Snyder
6 David Gross	40 William Shannon
7 William Hess	41 Michael Oldt
8 J. B. Kunkel	42 William Bower
9 Isaac Kreamer	43 A. V. Buskirk
10 James Dunlap (col.)	44 Henry Bower
11 Simon Snyder	45 Valentine Stetler
12 G. W. Yoxthimer	46 John Crabb
13 A. J. Fackenthall	47 Thomas Corcoran
14 John Remmer	48 George Meckly
15 R. M. Bennett	49 Philip Young
16 William Ulrich	50 John Corcoran
17 Isaac Stetler	51 Elias Stetler
18 Wm. Hood	52 E. Snyder
19 Jeremiah S. Mechley	53 Levi Nyce
20 Adam Kunkel	54 P. L. Nyce
21 George Price (col.)	55 J. H. Strickland
22 G. W. Betzer	56 Isaac Eyer
23 Frank. Kessler	57 Jesse Boyer
24 Hugh Cole	58 Alex. Schofield (col.)
25 Alfred Good	59 Frank Snyder
26 Lewis Selser	60 William Drum
27 G. M. Kline	61 George Lloyd
28 James Snyder	62 John Hess
29 George Sandal	63 Wm. H. H. Shiffer
30 Jasen Chappell	64 John Hess, jr.
31 Henry Trutt	65 John Drum
32 Michael Trutt	66 Joseph Rowe
33 Peter Bere	67 John Chappell (age)
34 John Haggerty	68 George Penny

69 J. F. Sandal	116 Henry Moyer
70 Lewis Sergeant	117 Martin Sassaman
71 Isaac Lepley	118 William Loyd
72 Charles Oldt	119 Josiah Loyd
73 Solomon Long	120 William Kreps
74 Michael Slear	121 D. Geiger
75 Michael Moyer	122 Wm. Richardson
76 Samuel Moyer	123 John Stetler
77 Samuel Ritter	124 Ellias Kreamer
78 Henry Shadle	125 Levi Rook
79 Henry Corcoran	126 James Jones (col.)
80 J. F. Seebold	127 H. F. Derk
81 B. F. Young	128 C. W. Oldt
82 John Kunkel	129 Jacob Campbell
83 E. D. Oldt	130 S. P. Burns
84 N. H. Maize	131 Cyrus Epenstine
85 John Maize	132 Mahlan Parker
86 John F. Troxell	133 Isaac Cochran
87 Martin Mills	134 Daniel Crabb
88 John Youngman	135 John Crabb, jr.
89 Jacob Davis	136 Joel Schwagen
90 James McPherson	137 Elias J. Beaver
91 Wm. Rowe	138 Beuben Harman
92 Joseph Young	139 Thomas Kaler
93 Jonas Sassaman	140 Ira Snyder
94 Calvin Sergeant	141 Henry E. Snyder
95 George Derk	142 M. M. Silverwood
96 F. J. Smedley	143 Anes Haines
97 Daniel Pursel	144 Lewis Deiten
98 Thomas Pursel	145 Peter Y. Bennett
99 Theodore Long	146 James Bennett
100 William Young	147 Samuel Leply (age)
101 Francis Hess	148 Jno. Leply
102 J. W. Eyer	149 James Young (age)
103 Henry Stahl	150 G. M. Slifer
104 Joseph Shannon	151 F. P. Burns
105 Joshua Sergeant	152 Levi Beaver
106 Netwon Long (age)	153 Fred. Deick
107 William Hofferker	154 Samuel Berge
108 Jonathan Hummell	155 Jacob Bender
109 James Ritter	156 John Shannon
110 William Geist	157 M. E. Reagan
111 Noah Bennett	158 Thomas Shannon
112 Howard Slear	159 Joseph Drees
113 John Quigley	160 Isaac Mertz
114 William Hess, jr.	161 Wm. Meckley
115 Samuel Hess (age)	

STATE OF PENNSYLVANIA,
County of Union, ss:

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of Union in said county for the election held November 5th, A. D. 1878, so full and entire as the same remain in file in this office.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg this 22d day of March, A. D. 1879.

[SEAL.]

C. H. HASSONPLUG, *Prothonotary.*

EXHIBIT D. B. M. No. 16.

List of voters at general election November 5, 1878.

At a general election in the fifth election district in the county of Union, in the commonwealth of Pennsylvania, held at the house of Geo. Wolfe, in the township of East Buffalo, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the fifth day of the month), in the year A. D. 1878.

- | | |
|------------------------|----------------------|
| 1 Andrew Bemis | 46 Abraham G. Brown |
| 2 Abraham Mowervy | 47 John H. Brown |
| 3 John Reber | 48 Levi Noll |
| 4 Aaron Wolfe | 49 A. H. Pierce |
| 5 James Stuck | 50 Samuel Kennel |
| 6 Elias Brown | 51 J. H. Wingert |
| 7 James Lepley | 52 John Leiby |
| 8 Philip Frederick | 53 M. R. Miller |
| 9 Samuel L. Riehl | 54 G. A. Donachy |
| 10 Martin Keefer | 55 George Donachy |
| 11 John Anderson | 56 Jeremiah Ritter |
| 12 James Mowerey | 57 James Fangboner |
| 13 Jacob Machemer | 58 Jacob Long |
| 14 Theodore Poeth | 59 Spyker Smith |
| 15 W. H. Weingarden | 60 John Stine |
| 16 Charles Lenhart | 61 Martin D. Wolfe |
| 17 Mathias Noll | 62 John W. Dunkel |
| 18 Samuel Wolfe | 63 Andrew Yeager |
| 19 William Keiser | 64 Noah Baker |
| 20 Jefferson Kaler | 65 James Stafford |
| 21 James Sample | 66 Abraham Mertz |
| 22 John Beacham | 67 R. J. Wiedensaul |
| 23 John Denire | 68 Jacob M. Smith |
| 24 Samuel Mathews | 69 Simon Voneida |
| 25 Thomas Denire | 70 Elias Root |
| 26 Joel L. Reihl | 71 Joseph Picton |
| 27 Simon Deick | 72 Henry Mertz |
| 28 Georg Kling | 73 Jacob Mertz |
| 29 John Poeth | 74 John G. Smith |
| 30 Harrison Lang | 75 W. C. Chappel |
| 31 William Wertz | 76 H. M. Wolfe |
| 32 Jacob Gibeny | 77 B. F. Messersmith |
| 33 Samuel Dunkel | 78 David Smith |
| 34 John Reihl | 79 O. P. Walter |
| 35 John A. Gundy | 80 W. B. Herbst |
| 36 Jackson Gellinger | 81 John Gellinger |
| 37 Benjamin Weingarden | 82 William Reichloy |
| 38 Abraham Gundy | 83 G. H. Wagoner |
| 39 B. F. Hursh | 84 Abraham Aurand |
| 40 Abraham Frederick | 85 Wm. F. Brown |
| 41 Jacob Frederick | 86 George Omach |
| 42 Elias Frederick | 87 Thomas Walter |
| 43 John J. Reichley | 88 Samuel Brown |
| 44 John Hummel | 89 Jacob Gundy |
| 45 Martin Hummel | 90 Edward B. Walter |

- | | |
|-------------------------|------------------------|
| 91 John F. Zeller | 147 Wm. B. Ervin |
| 92 Samuel Brobst | 148 S. J. Berry |
| 93 H. H. Molmes | 149 Simon P. Brown |
| 94 John S. Schrak | 150 John Strohecker |
| 95 Adam Royer | 151 Milton Bruse (age) |
| 96 Peter Getz | 152 I. S. Sterner |
| 97 Henry Gellinger | 153 Wm. Strohecker |
| 98 Samuel Dundeed | 154 J. H. Wolfe |
| 99 Noah Fisher | 155 John H. Wolfe |
| 100 William Martin | 156 John Wertz |
| 101 Nicolas Grover | 157 Wm. P. Baker (tax) |
| 102 Isaac Riber | 158 John Ramer |
| 103 Noah Maurer | 159 Adam Gundy |
| 104 W. L. Harris | 160 Wm. Ritter (tax) |
| 105 Jacob Kunkel | 161 Wm. Getz |
| 106 Joseph Rote | 162 Frank Gibeny |
| 107 Albert Denire (age) | 163 Joseph Zook |
| 108 Oliver Denire | 164 Abraham Yeager |
| 109 Alexander Lewis | 165 Thompson Strayhorn |
| 110 W. W. Brown | 166 Wm. P. Ritter |
| 111 Wm. Kessler (tax) | 167 Noah Hoffman |
| 112 M. W. Kramer | 168 Henry Brown |
| 113 Samuel Moyer | 169 Chas. B. Baker |
| 114 Jacob Kreisher | 170 Wm. H. Young |
| 115 John Moyer | 171 Wm. N. Mathews |
| 116 Noah Slear | 172 Jacob Young |
| 117 John G. Smith | 173 F. W. Getz |
| 118 Jacob S. Neyhart | 174 John Kertz |
| 119 Aaron Kessler | 175 J. P. Gundy |
| 120 Theo. P. Cornelius | 176 Samuel Zellers |
| 121 John A. Owens | 177 George Stein |
| 122 Isaac Hubler | 178 John M. Kling |
| 123 Alfred Kneass | 179 H. W. Wolfe |
| 124 E. G. Baker | 180 L. L. Rauck |
| 125 Samuel Ruthroff | 181 John Bohr |
| 126 Wm. Denire | 182 Thos. Wertz |
| 127 Chas. Baker | 183 Benj. Long |
| 128 Frank Erdley (tax) | 184 Joseph Fox |
| 129 George Kunkel | 185 John Miller |
| 130 Wm. C. Kling | 186 George Wolfe |
| 131 Samuel Kunkel | 187 David Young |
| 132 D. R. Ruthroff | 188 E. B. Reihl |
| 133 Benneville Root | 189 Wm. Hollenbach |
| 134 John C. Frederick | 190 Peter W. Brown |
| 135 John H. Rauck | 191 Frank Miller |
| 136 Wm. Machemer | 192 Franklin Smith |
| 137 M. J. Rauck | 193 Jacob Lenhart |
| 138 Frederick Nicely | 194 A. W. Farley |
| 139 Michael Wolfe | 195 E. F. Gundy |
| 140 Wm. Ream | 196 C. V. Gundy |
| 141 David Ream | 197 Joseph Kunkel |
| 142 John Brumgard | 198 John D. Schrack |
| 143 Samuel Neiman | 199 Saml. P. Gundy |
| 144 Ruben Kaler | 200 John Boliner |
| 145 Daniel Miller | 201 Jacob H. Smith |
| 146 Cyrus Fetter | 202 John C. Gundy |

203 Wm. L. Gundy
 204 Geo. F. Trutt (age)
 205 John G. Brown
 206 Silas Cornelius
 207 Henry Kenney
 208 Henry Getz
 209 John W. Getz
 210 Henry Wolfe
 211 Charles Schrack (age)
 212 Henry Wertz
 213 Walter Frederick
 214 James C. Walter
 215 James P. Engle (age)
 216 Elias Riche
 217 Jacob Engle (tax)
 218 George Connly
 219 John Reichly
 220 B. O. Brown
 221 D. H. Reichly
 222 Moses Noll
 223 Wm. A. Reamer
 224 Wesley Stahl
 225 Nathan Slear
 226 Daniel Wolfe

227 E. J. Brown
 228 George Reichly
 229 Addison Schrack
 230 H. L. Gussler
 231 William Schrack
 232 Daniel Hafer
 233 Michael Noll
 234 Martin Noll
 235 Francis E. Brown (age)
 236 Levi Young
 237 John Long
 238 John H. Rote
 239 John Smith (tax)
 240 Abraham Kentz
 241 Isaac W. Brown
 242 Joshua Johnson
 243 Henry Grower
 244 Samuel F. Miller
 245 Chas. Gellinger
 246 Andrew Miller
 247 Joel Riehl
 248 Peter Brown
 249

STATE OF PENNSYLVANIA,

County of Union ss :

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of East Buffalo, in said county, for the election held November 5, A. D. 1878, so full and entire as the same remain on file in this office.

In testimony whereof I have hereunto set my hand and the seal of office, at Lewisburg, this 22d day of March, A. D. 1878.

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 17.

List of voters at general election November 5, A. D. 1878.

At a general election in the third election district, in the county of Union, in the commonwealth of Pennsylvania, held at house of Jacob Kostenbader, in the township of White Deer, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the 5th day of the month), in the year A. D. 1878.

1 Samuel Marshal
 2 D. D. Dieffenderfer
 3 Samuel McCurley
 4 W. W. Brown
 5 Adam Smith
 6 Lewis Bitting
 7 Daniel Brobst
 8 John Brobst
 9 Asa Chappel
 10 Isaac Chappel

11 Jacob Troxel
 12 Isaac Reed
 13 John Ritter
 14 Charles A. Dieffenderfer
 15 Samuel G. Rauck
 16 Emanuel Steninger
 17 Amos Leinbach
 18 D. W. Getchel
 19 Daniel Rauck
 20 Enos Bennage

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|------------------------|----------------------------|
| 21 S. L. Rauck | 77 Samuel Bennage |
| 22 Jacob Rumfelt (tax) | 78 Richard Bennage (age) |
| 23 Dan. Zong | 79 James Zigler |
| 24 J. A. Sanders | 80 D. B. Kaufman |
| 25 George Bemmer | 81 Anthony Yocum |
| 26 J. W. Harpster | 82 George Ginter |
| 27 John Green | 83 Thomas Beddoe |
| 28 John K. Correy | 84 Joseph Smith |
| 29 Ezra Leinbach | 85 William Troxel (tax) |
| 30 George Yost | 86 Charles Shady |
| 31 Nicholas Barnhart | 87 Augustus Buck |
| 32 James Black | 88 Samuel Baker |
| 33 W. W. Keiffer | 89 Elias Reed |
| 34 Daniel Kolp (tax) | 90 Benneville Bickel |
| 35 John J. Rauck | 91 Arthur Rauck |
| 36 Henry P. Sassaman | 92 John J. Smith |
| 37 Thomas Sweitzer | 93 Samuel Vertz |
| 38 William Joopole | 94 George McColum |
| 39 Abraham High | 95 Samuel McCollum |
| 40 William Speese | 96 Daniel Garver |
| 41 John Shadle | 97 William Buck |
| 42 Joseph Lodge | 98 William H. Blind |
| 43 Joshua Shafer | 99 John F. Beck |
| 44 Heck Davis | 100 A. A. Gamberling |
| 45 John V. Hafer | 101 Philip Kimple |
| 46 Aaron Plummer | 102 Isaac Trait |
| 47 Michael Baker | 103 James Noll |
| 48 George Huff | 104 Jacob F. Erdley (tax) |
| 49 John W. Fisher | 105 Charles Delham |
| 50 John Koch | 106 Conrad Blind |
| 51 Roley McCurley | 107 William Koch |
| 52 W. A. Leiser | 108 Jesse Messersmith |
| 53 John Harrison | 109 Smith Wertz |
| 54 Henry Yuger | 110 George W. Wertz |
| 55 Joseph Brown | 111 Samuel Messersmith |
| 56 Levi Koch | 112 George Berkhimer, sen. |
| 57 Augustus Devalt | 113 Reuben Kase |
| 58 John Oaks | 114 John S. Fordsman |
| 59 Andrew Hoag | 115 Daniel Spitler |
| 60 Nicholas Larh | 116 Lewis Dersham |
| 61 David Bergerstrock | 117 David Keiffer |
| 62 Franklin Lahr | 118 Samuel Koch |
| 63 S. B. Pawling | 119 Rudolph Broward |
| 64 Lenar A. Troxell | 120 Elias Koser |
| 65 Wesley Moyer | 121 John B. Lemene |
| 66 Gabriel Huntington | 122 John Broward |
| 67 James Huff | 123 Godfrey Kase (tax) |
| 68 John Campbell | 124 Peter Ketchim |
| 69 Martin Broward | 125 John B. Robison |
| 70 William L. Ritter | 126 Joseph W. Huff |
| 71 Moses Yoder | 127 Elisha Weigel |
| 72 Robert Cander | 128 Josep. H. Moyer |
| 73 David Rauch | 129 John Trait |
| 74 Jefferson Barr | 130 A. G. Weigel |
| 75 H. A. Wiless | 131 T. I. Weigel |
| 76 Charles Bell | 132 David Neese |

- | | |
|------------------------------|--------------------------|
| 133 James Buck | 189 Franklin Berkenstock |
| 134 Henry Yost | 190 William Hafer |
| 135 Phares Koser (age) | 191 J. H. Dersham |
| 136 George W. Schenery | 192 Peter Hause |
| 137 Jacob Strausner | 193 William E. Grower |
| 138 J. M. Rockefeller | 194 James Neiman |
| 139 William Rebsome | 195 James Weigel |
| 140 Rebsome, William | 196 Jacob Bechtel |
| 141 Samuel Beck | 197 Henry Moll |
| 142 George Botain | 198 James W. Noll |
| 143 Samuel Fisher | 199 Aaron C. High |
| 144 John W. Sanders (age) | 200 Samuel D. Dersham |
| 145 Daniel Reish | 201 Reuben Young |
| 146 James Sanders | 202 Uriah Dersham |
| 147 Peter Beck | 203 John Vertz |
| 148 George Reish | 204 Isaac Linn |
| 149 John Jows | 205 Isaac Seiler |
| 150 Horace Bostian | 206 Cyrus Leinbach |
| 151 James Powers | 207 Samuel Shutt |
| 152 Charles Speese | 208 Jacob Dersham |
| 153 Thomas Balliet | 209 John Drayer |
| 154 John Moore | 210 George Ribsome |
| 155 James Ritter | 211 Joseph Mickey |
| 156 Thomas Grower | 212 H. B. Mickey |
| 157 George Row | 213 William Sprague |
| 158 Charles T. Dieffenderfer | 214 John S. Miller (tax) |
| 159 Adam Beck | 215 William T. Huff |
| 160 David Black | 216 Benjamin Canada |
| 161 Daniel J. Leinbach | 217 Charles Huff |
| 162 Levi Keiffer | 218 Daniel Huff |
| 163 Theobad Sanders | 219 William High |
| 164 John Bitting | 220 Benjamin Snyder |
| 165 Simon Smith | 221 John Trait |
| 166 Roly Leib | 222 William Hoffman |
| 167 Luther Moore | 223 Samuel Tate |
| 168 Abraham Huntington | 224 John Shutt |
| 169 John Goodlander | 225 David High |
| 170 G. W. Haffer | 226 William Huff |
| 171 Emanuel Shellenberger | 227 Charles Eliot |
| 172 James Shrine | 228 H. R. Hutchison |
| 173 David Ramsey | 229 Jacob Buck |
| 174 Benneville Yoder | 230 C. H. Rader |
| 175 C. W. Brintzenhofe | 231 Lloyd Biddle |
| 176 Henry Geeyer | 232 John M. Beck |
| 177 George E. Troxal | 233 Jacob F. Stahl |
| 178 John Zong | 234 Samuel Berkhimer |
| 179 William Shutt | 235 J. Elliott |
| 180 Abraham Dersham | 236 Charles B. Huff |
| 181 William V. Hagey | 237 Lambert Rauck |
| 182 Henry Detrick | 238 John T. Huff |
| 183 Samuel P. Smith (tax) | 239 Samuel Showers |
| 184 H. H. Trumpleller | 240 Thomas Rauck |
| 185 John Woolhetu | 241 Henry T. Weaver |
| 186 Isaac Kerns | 242 David Huff |
| 187 John Keener | 243 George B. Brown |
| 188 Henry W. Sanders | 244 Henry E. Fullmer |

- | | |
|------------------------------|--------------------------|
| 245 Joseph Huff | 301 David Bennage |
| 246 William R. Fisher | 302 Jerome Vertz |
| 247 Augustus Seits | 303 Charles Brintzenhofe |
| 248 J. R. McCurley | 304 Benjamin Baker |
| 249 Lloyd Ginter | 305 A. A. Danowsky |
| 250 William Fisher | 306 John Stull |
| 251 William Biddle | 307 W. H. Dennis |
| 252 R. M. Griffey (tax) | 308 Charles Benage |
| 253 Joseph K. Moyer | 309 Wendel Swartz |
| 254 Thomas Conner (tax) | 310 Joel Walter |
| 255 G. W. Durr | 311 Urbanus Rauck |
| 256 Jacob F. Huff (age) | 312 Philip Eias |
| 257 Theodore Castler | 313 Joseph Becher |
| 258 George Berkheimer | 314 Daniel Yost |
| 259 C. E. Bostain | 315 Charles Fulbert |
| 260 Jonathan Bennage | 316 Lemuel Weigel |
| 261 Charles P. Bostian | 317 James Pressler (tax) |
| 262 James Marr | 318 Samuel Goodlander |
| 263 Josiah Weigel | 319 Daniel Bennage |
| 264 W. H. Rauck | 320 Joseph Moyer |
| 265 W. P. Riter | 321 Edward Rauck |
| 266 Abraham Leib | 322 Edward Ganet |
| 267 Richard Kole | 323 Daniel Pick |
| 268 William H. Berkheiner | 324 J. M. Brader |
| 269 Barnhart Weaver | 325 Jacob Barnhart |
| 270 Jacob Sassamon | 326 Michael J. Rauck |
| 271 Thomas Staly | 327 Jacob Neese |
| 272 Michael Eyer | 328 Henry E. Sliar |
| 273 William Stadden | 329 F. O. Cresswell |
| 274 Arthur Green | 330 David H. Bennage |
| 275 Harvey Rauck | 331 George Reitmyer |
| 276 Samuel Kostenbader | 332 Jacob H. Earnst |
| 277 George Troxel | 333 George Hoffman |
| 278 J. N. Guyer | 334 J. A. Rauck |
| 279 John Huffman | 335 John R. Bennage |
| 280 William Tillman | 336 Jacob A. Rauck |
| 281 Philip Ribsome, sr. | 337 C. L. Gudyhunst |
| 282 Frederick Brunner | 338 P. H. Rauck |
| 283 Jacob Miller | 339 Amos Baker |
| 284 Joseph B. Huff | 340 Abraham Baker |
| 285 David V. Buck | 341 Jacob High |
| 286 Daniel Menpeck | 342 Moses Baker |
| 287 Amos Becher | 343 George Baker |
| 288 William R. Fellmer (age) | 344 George A. Shutt |
| 289 Joseph Bickel | 345 Henry Heverling |
| 290 Jerome Dersham | 346 Stephen Wertz |
| 291 Michel Strausner | 347 Charles Sanders |
| 292 J. M. Pawling (age) | 348 David Beck |
| 293 Afred Dennis (age) | 349 George Baker |
| 294 David Moore | 350 Silas Klingeman |
| 295 Philip Ribsome, jr. | 351 Jeremiah Campbell |
| 296 Charles F. Dennis | 352 Abert Richard |
| 297 Daniel Smith | 353 P. M. Green |
| 298 James H. Guyer | 354 William Kemple |
| 299 Jacob Farley | 355 Solomon Rauck |
| 300 R. J. Moyer | 356 E. S. Beck |

357 Elija Bell	389 John K. Klapp
358 Thomas Huff	390 Samuel Hoffman
359 George Katherman	391 Jacob Kostenbader
360 Jacob J. Katherman	392 Elias Koser, jr.
361 John O. Bennage	393 Jacob W. Fisher
362 Samuel Kaufman	394 William Richard
363 William Rauck	395 George Bosh
364 Frederick Hager	396 Joseph A. Rauck
365 George Meese	397 P. H. Rauck
366 Lewis Rauck	398 John Linn
367 Joseph Heller	399 Simon Kelly
368 Abraham Showes	400 Sim. Biddle
369 Jacob K. Noll	401 Lot Trait
370 John L. Rauck	402 William Pott
371 E. Cramer	403 J. R. Runle
372 John L. Bitting	404 John S. Bennage
373 John Erb (tax)	405 John Bennage
374 W. W. Williams	406 Ryley Bostain
375 John Buck	407 John Stadden
376 Samuel Yost	408 William Watkins
377 Joathan Baker	409 David Chisholm
378 P. F. Stahl	410 John Meckley
379 James Stahl	411 Reuben Zimmerman
380 Sampson Paul	412 Emanuel Hause
381 Abraham Brown	413 Andrew Shirk
382 John G. Guyer	414 George Showes
383 Amos Broward	415 Levi Rauck
384 James Yost	416 Henry Bennage
385 Daniel Williams	417 Simon Bennage
386 Cyrus Yost	418 David J. Stahl
387 Gabriel Leib	419
388 Samuel Yoder	420

STATE OF PENNSYLVANIA,
County of Union, ss:

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of White Deer, in said county, for the election held November 5, A. D. 1878, so full and entire as the same remains on file in this office.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg this 22d day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M., No. 18.

List of voters at general election, November —, 1878.

At a general election in the fifteenth election district, in the county of Union, in the commonwealth of Pennsylvania, held at the house of H. Huth, in the township of Gregg, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the fifth day of the month), in the year A. D. 1878.

1 Joseph Wright
 2 Geo. Else, sr.

3 John Galloway
 4 Charles Linn

- | | |
|------------------------|--------------------------|
| 5 William Everett | 61 John W. Piatt |
| 6 John H. Oakes | 62 Jeremiah Grant |
| 7 Joseph Fike | 63 Lewis Thomas |
| 8 Frederick Hains | 64 Anthony Armstrong |
| 9 James P. Gudyhund | 65 James B. Else |
| 10 A. S. Sypher | 66 Peray Jarret |
| 11 Israel Crisman | 67 Wm. Miles |
| 12 Aaron Wetzel | 68 B. F. Haag |
| 13 T. T. Fisher | 69 Adam Krug |
| 14 R. Brown, jr. | 70 Peter L. Brown |
| 15 Samuel Shireman | 71 B. F. Ketler |
| 16 John Tate | 72 P. G. Fisher |
| 17 George Diehl | 73 Rob't Hamilton |
| 18 Mathew Oaker | 74 Cornilous Lomison |
| 19 H. C. Fisher | 75 William Glaze |
| 20 Chas. Huff | 76 Thomas Blu |
| 21 Daniel Reeser | 77 Adam Klapp |
| 22 Godfrey Carlile | 78 John R. Hains |
| 23 J. F. Else | 79 H. D. Fisher |
| 24 B. F. Shook | 80 C. A. Shaffer |
| 25 John L. Kremer | 81 Joseph Nesbit (age) |
| 26 Wm. Schevley, sr. | 82 Wm. C. Moore |
| 27 Michael Fisher, sr. | 83 Chas. Fisher, sr. |
| 28 Rob't Overterf | 84 John Hall |
| 29 John Else | 85 George Irvin |
| 30 M. M. Fisher | 86 Samuel Kaschner (age) |
| 31 Chas. Pawling | 87 W. A. Norton |
| 32 John Miller | 88 John Deywalt |
| 33 William Antes | 89 Peter Shopbell |
| 34 D. D. Miller | 90 Wm. Farley |
| 35 J. Jacob Bower | 91 Stephen King |
| 36 C. H. Miller | 92 Jacob King |
| 37 Henry Overturf | 93 Henry Baker |
| 38 Jacob Baker | 94 Thomas Hafer |
| 39 Jacob Clark | 95 John Bricker |
| 40 Charles Brown | 96 Wm. L. Oaker |
| 41 A. L. Kindt | 97 Wm. Schooley, jr. |
| 42 John H. Fisher | 98 Thomas Arbuckle |
| 43 John B. Moore | 99 Daniel Trump |
| 44 D. B. Artman | 100 Thos. J. Eisenhart |
| 45 Thompson Bower | 101 W. J. Neeld |
| 46 Henry Scott | 102 A. A. Fisher |
| 47 Joseph Moore | 103 Henry Hunter |
| 48 Follmer Thomas | 104 Edward Hunter |
| 49 Henry High | 105 Cyrus Wichel |
| 50 John R. Follmer | 106 Jonathan Fisher |
| 51 Frank Erb | 107 Chas. Meyer |
| 52 M. K. Fisher | 108 Clarence Grant |
| 53 Rev. J. W. Boal | 109 Chas. Wetzel |
| 54 W. A. Jamison | 110 Hiram Wentz |
| 55 H. C. Brown | 111 John S. Smith |
| 56 H. P. Allen | 112 Daniel Fisher |
| 57 W. A. Bergenstock | 113 Daniel Deywalt |
| 58 Chas. Fisher, jr. | 114 E. S. Gudyhunst |
| 59 Robert Fisher, jr. | 115 G. W. Bowen |
| 60 D. R. Johnson | 116 Levi Schney |

117	Howard Schney (age)	170	Thomas Houser
118	John Jamison, jr.	171	Amos Scott
119	John Breon	172	M. J. Fisher
120	Henry J. Schooley	173	George Moore
121	Peter Ludwig	174	J. F. Bower
122	Geo. E. Miles	175	Jonathan Hefner
123	A. B. Jamison	176	Aam Heslet
124	David Haine	177	Jeremiah Heslet
125	H. D. Hunter	178	Fullmer Shapbell
126	Philip Schook	179	Brown Jamisen, jr
127	G. W. Buss	180	J. R. Messer
128	Benjamin Breon	181	Oliver Messer (age)
129	Thomas Elis	182	H. W. F. Elwell
130	John C. Brown	183	D. G. Fullmer
131	Albert Schorley	184	Chas. Buss
132	William Brown	185	John D. Buss
133	Robert Fisher, sr.	186	John C. Irvin
134	John Dougherty	187	John F. Fisher
135	Robert Briun, sr.	188	Henry McCartney
136	Daniel L. Fisher	189	Albert Farley
137	Collins Fisher	190	David Schook
138	James Ellis	191	Henry Hall
139	John Groff	192	Samuel B. Caldwell
140	William T. King	193	William Qakes
141	Jacob Veneida	194	Jany Moyer
142	Peter Scott	195	J. I. Meek
143	Daniel Foresman	196	O. W. Meek (age)
144	John H. Fullman	197	Wm. Meek
145	Abner Foresman	198	Henry Mull
146	C. M. Haker	199	Edward Swank
147	Wm. Huff	200	Samuel A. Fisher
148	Simon Houts	201	Seth M. Foresman
149	E. F. Fegley	202	John Everly
150	Joseph H. Fox	203	Robt. C. Meek
151	W. U. Truckenmiller	204	Chas. Hafer
152	Samuel King	205	Wm. Reeser
153	John King (age)	206	Peter Betts
154	C. L. Kremer	207	Charles W. Bouer (age)
155	John Sheet	208	Wm. Russel
156	T. C. Foresman	209	Geo. W. Else
157	James M. Else	210	Benjamin Tate
158	Willson Bower	211	Charles A. Tate
159	James Else, sr	212	Wm. Houser
160	J. H. Traxel	213	John Houser
161	W. P. Allen	214	Philip Kelly
162	W. H. Foresman	215	John Foresman
163	W. F. Campbell	216	Dr. Wm. Mitzgar
164	Green McArty	217	Frank Hagenbach
165	L. G. Meek	228	James B. Arbuckle
166	Daniel Houser	219	Jacob Bower
167	David Watson	220	Abram Bower
168	Jacob Hefner	221	Wm. C. Foresman
169	W. B. Else	222	B. Griffey

STATE OF PENNSYLVANIA, *County of Union*, ss :

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of Gregg, in said county, for the election

held November 5, A. D. 1878, so full and entire as the same remain on file in this office.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg, this 22d day of March, A. D. 1878.

[SEAL.]

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 19.

List of voters at general election November 5, 1878.

At a general election in the eleventh election district, in the county of Union, in the commonwealth of Pennsylvania, held at the school-house in Laurelton, in the township of Hartley, in and for said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November (being the 5th day of the month), in the year A. D. 1878.

- | | |
|----------------------|-----------------------|
| 1 Samuel Bobp | 40 Josiah Showalter |
| 2 Solomon Miller | 41 Jesse Zimmerman |
| 3 James H. Glover | 42 John H. Miller |
| 4 John Diehl | 43 Henry Y. Bingaman |
| 5 Perry Hunsicker | 44 Thomas Bennett |
| 6 W. H. Winkelblich | 45 William Latshaw |
| 7 S. S. Smith | 46 Charles Diechman |
| 8 David Aley | 47 John Hoffman |
| 9 Augustus Gilbert | 48 Henry Catherman |
| 10 John Pick | 49 John Knew |
| 11 George Shusley | 50 John Shalter |
| 12 John Church | 51 Luther Lucas |
| 13 C. E. Haus | 52 Charles Marston |
| 14 William Christ | 53 B. F. Dale |
| 15 Jasper Knerr | 54 Saml. C. Ruhl |
| 16 Daniel Fox | 55 Jonas Styers |
| 17 William Schnure | 56 D. K. Wirth |
| 18 Anthony King | 57 William Wirth |
| 19 James Pross | 58 Jacob Barnet |
| 20 Samuel J. Rote | 59 D. B. Kirst |
| 21 Caleb J. Diehl | 60 Jacob Wirth |
| 22 Sam'l H. Bingaman | 61 Saml. Weidensaul |
| 23 Wm. F. Diehl | 62 William Bird |
| 24 Jesse Williams | 63 Jacob Frederick |
| 25 Samuel Horbends | 64 Henry Kiester, sr. |
| 26 David Mathers | 65 John Galer |
| 27 Absalom King | 66 William Pursely |
| 28 Jacob Wonner | 67 William Bohnestiel |
| 29 William Shalter | 68 George W. Sheesley |
| 30 Levi King | 69 Jacob Ballet |
| 31 Henry F. Keister | 70 J. W. Weidensaul |
| 32 George Shalter | 71 Wm. Johnson, jr. |
| 33 Theodore Hartman | 72 Felix Shields |
| 34 William Wolfe | 73 Henry Vanatta |
| 35 Robt. S. Miller | 74 Wm. Johnson, sr. |
| 36 Joseph Rudy | 75 S. E. Brancher |
| 37 Jonathan Beyer | 76 Jas. W. Smith |
| 38 Martin Bingman | 77 Isaac Klechner |
| 39 Jackson Sheesley | 78 Dan'l Weidensaul |

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|--------------------------|------------------------|
| 79 Alanson Johnson | 135 Benjamin Strickler |
| 80 David Johnson | 136 Chas. P. Emery |
| 81 Jacob Styers | 137 John Smith |
| 82 Lewis Schafer | 138 Mannasseh Aumiller |
| 83 Charles Harter | 139 Frank Schnure |
| 84 Jacob Bingman | 140 Saml. C. Smith |
| 85 Jacob Klechner | 141 Joseph Hartley |
| 86 Chas. S. Bingman | 142 Elias Shively |
| 87 John Shirk | 143 Henry Dorman |
| 88 R. V. B. Lincoln | 144 William Weidensaul |
| 89 C. W. Miller | 145 Charles W. Emery |
| 90 Isaac Miller | 146 Frank Penny |
| 91 James Pursley | 147 William Shirk |
| 92 Thomas Keister | 148 John J. Mackey |
| 93 W. H. Zuern | 149 William Thomas |
| 94 S. F. Charles | 150 William H. Bingman |
| 95 Peter Sheesley | 151 Henry Hartman |
| 96 Solomon Vanada | 152 Philip Fessenden |
| 97 Elias Winklebleck | 153 Benj. Try |
| 98 John Try | 154 Abraham Shirk |
| 99 Israel Rudy | 155 Sam'l B. Stover |
| 100 Nathan Catherman | 156 John Dennis |
| 101 D. O. Bower | 157 John Showalter |
| 102 Dan'l Miller | 158 George Catherman |
| 103 Sam'l Schnure | 159 Sam'l C. Miller |
| 104 Sam'l Harter | 160 Peter Rishel |
| 105 William Cook | 161 William Fees |
| 106 Levi Mener | 162 H. W. Haster |
| 107 Henry Stitzer | 163 Harrison Bingman |
| 108 John Hoffman, jr. | 164 Oliver P. Schnure |
| 109 Benj. Rudy | 165 Elias Katherman |
| 110 William Stewart | 166 Wm. J. Wirth |
| 111 Adam Rote | 167 Hiram Brillhart |
| 112 Josiah Boop | 168 Samuel Hartman |
| 113 David Galer | 169 Daniel S. Smith |
| 114 John C. Middlesworth | 170 Henry Shalter |
| 115 William Hirmimus | 171 Samuel Vanatta |
| 116 Benj. Shalter | 172 Andrew Hirmimees |
| 117 Jonas Barnett | 173 Henry Vanatta, jr. |
| 118 Samuel C. Shirk | 174 B. F. Jordan |
| 119 Joseph Keiser | 175 Amos Fauver |
| 120 Thomas Libby | 176 E. W. Robinson |
| 121 W. H. Showalter | 177 Wm. King |
| 122 Mark Heefnagle | 178 Joshua Knerr |
| 123 John R. Slifer | 179 Isaiah Emery |
| 124 H. J. Sylvis | 180 Henry Bressler |
| 125 Saml. Styers | 181 John Huff |
| 126 Christian Longbine | 182 Frank Long |
| 127 George Boop | 183 William Kessler |
| 128 John F. Catherman | 184 Daniel Adams |
| 129 J. W. Galer | 185 Samuel Adams |
| 130 G. W. Kreisher | 186 John Glover |
| 131 W. E. Weikel | 187 Isaiah Walter |
| 132 T. W. Freed | 188 William Bitler |
| 133 John M. Kiester | 189 Henry Hunsicher |
| 134 Adam Boop | 190 John Derr |

191 Hiram Catherman	225 Isaac Kiester
192 John Hamilton	226 J. E. Hartman
193 John Stover	227 Jacob Deater
194 Joseph Zimmerman	228 H. D. Albright
195 George Schnure	229 Abram Bowersox
196 Albert Dale	230 Jackson Catherman
197 George King	231 Alva Masten
198 D. R. Smith	232 Daniel Horner
199 John Frederick	233 Lewis Bunkeritz
200 Simon Catherman	234 Robt. J. Bingman
201 Thomas Ikey	235 Sam'l C. Church
202 Samuel Frederick	236 J. F. Fillman
203 Jefferson Jordan	237 Henry Latshaw
204 Henry Walter	238 Phares Kiester
205 John Berkey	239 Jackson Brouse
206 George W. Stover	240 Elias Trutt
207 Simon Klechner	241 Noah Trutt
208 John L. Knight	242 Nathan Fees
209 Peter Catherman	243 Jas. H. Albright
210 Mark Schnure	244 William Bingman
211 John B. Smith	245 George Ikey
212 Foster Ikey	246 W. H. Fees (Wesley)
213 Christian Schnure	247 Will H. Fees
214 Samuel Laird	248 John Bartley
215 Samuel W. Rutherford	249 John Knepps
216 Albright Bingman	250 Wm. Boyer
217 Daniel Stover	251 D. M. Showalter
218 Lewis Dale	252 Martin Bingman
219 P. D. Stover	253 Robt. Miller, sr.
220 H. E. Smith	254 Joseph Beyer
221 S. H. Knight	255 Joseph Katherman
222 Henry Klickner	256 Daniel Strouse
223 Daniel Katherman	257 Austin Glover
224 F. W. McCurdy	

STATE OF PENNSYLVANIA,
County of Union, ss :

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of Hartley, in said county, for the election held November 5, 1878, so full and entire as the same remains on file in this office.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg, this 22d day of March, A. D. 1878.

[SEAL.]

C. H. HASSONPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 20.

List of voters at general election November 5, 1878.

At a general election in the sixth election district, in the county of Union, in the commonwealth of Pennsylvania, held at the house of J. S. McCreight, in the township of Buffalo, in and for the said election district, agreeable to the election laws of this commonwealth, the first Tuesday after the first Monday in the month of November, being the 5th day of the month, in the year A. D. 1878.

1 H. C. Brown

3 Lenard Boyer

2 Elim Mixel

4 Geo. J. Wolfe

- | | |
|--------------------------|----------------------------|
| 5 Geo. E. Ruhl | 61 Lewis Dauberman, junior |
| 6 John X. Brown | 62 Benjamin Rehner |
| 7 G. W. Wolfe | 63 Hert Hauck |
| 8 Andrew Ruhl | 64 Philip Diehl |
| 9 Taylor Kleckner | 65 James Zigler |
| 10 Chas. Hendrix | 66 Philip Prehl |
| 11 William T. Linn | 67 Samuel Koser |
| 12 James B. Kelley | 68 Joseph Spangler |
| 13 Samuel H. Himmelreich | 69 Adam Zubler |
| 14 Wilson Herman | 70 J. W. Spangler |
| 15 W. C. Smith | 71 Wm. Cammil |
| 16 A. J. Rishel | 72 Henry Klingler |
| 17 William Swartz | 73 Benjamin Felter, sen. |
| 18 Oliver Wagner | 74 George Stahl |
| 19 G. V. Gephart | 75 Reuben A. Neyhard |
| 20 John E. Dunkel | 76 John Furnton |
| 21 Jo. M. A. Dunaky | 77 Wilson Smith |
| 22 Geo. W. Feistre | 78 David Page |
| 23 John C. Stuble | 79 Joseph Klechner |
| 24 John Leshner | 80 Joseph W. Shriner |
| 25 W. W. Lindurmeeck | 81 Martin D. Reed |
| 26 John Beck | 82 William Walker |
| 27 Andrew Leshner | 83 Joseph Lebard |
| 28 Peater Stahl | 84 R. Strahorn |
| 29 N. M. Snyder | 85 Jaack Bottiger |
| 30 J. F. Brown | 86 Jacob Zeiback |
| 31 Daniel Joes | 87 Lewis Shaffer |
| 32 Joseph Voneida | 88 John Shaffer |
| 33 William B. Musina | 89 Wm. J. Kreak |
| 34 Samuel Shrack | 90 Jacob Weise |
| 35 William Walburn | 91 M. R. Gearhard |
| 36 Solomon Diehl | 92 J. W. Simonton |
| 37 Johnathan Kimback | 93 Peater Mertz |
| 38 Samuel Vonedia | 94 Jacob Remer |
| 39 Daniel Detrick | 95 John Lahr |
| 40 Thomas Parvin | 96 Jaack Bingaman |
| 41 John Kosier, junior | 97 Sam'l Icks |
| 42 Robert Kimback | 98 James B. Swartzlander |
| 43 Albert Rehner | 99 Wm. Heimbuch |
| 44 Edward Culp | 100 George Neese |
| 45 John Kreak | 101 Manuel Wolfe |
| 46 Abraham Dauberman | 102 John Walter |
| 47 John H. Reed | 103 Geo. W. Young |
| 48 William Stanes | 104 Aaron Koser |
| 49 H. J. Cromley | 105 Michle Dunkle |
| 50 Franklin Hendricks | 106 Isaac Bubb |
| 51 Peater Kreak | 107 Wilson Gross |
| 52 Chas. Boyer | 108 J. B. Davis |
| 53 Henry Zubler | 109 Frederick Beigle |
| 54 Samuel Glase | 110 Levie Kosier |
| 55 James W. Young | 111 Wm. Young |
| 56 John H. Kimback | 112 Joseph Stah |
| 57 Jones Culp | 113 J. S. McCreight |
| 58 Benjamin Rengler | 114 Cyrus Crevling |
| 59 Chas. Klingler | 115 Adam Stahl |
| 60 Lewis Dauberman | 116 Henry D. Reyn |

117 P. A. Baker
 118 William Walker, sr.
 119 Wm. A. Walker, jr.
 120 Osker Creveling
 121 James Himmdreich
 122 Jacob Erl
 123 Thos. B. Cornelius
 124 Henry Baker
 125 Wm. M. Bumgard
 126 Jacob Bressler
 127 Wm. X. Brewer
 128 Wm. L. Wilson
 129 James Irvin
 130 J. C. Dunkel
 131 Jackson Koseir
 132 Franklin Spotts
 133 Wm. D. Beck
 134 John N. Pontius
 135 Levi Hauck
 136 Robert Gilinger
 137 John Homler
 138 Jas. P. Glass
 139 Daniel Renner
 140 Abutam Spigelmyer
 141 Wm. A. Walter
 142 Henry Miller
 143 Adam Hemler
 144 Jacob Dieffenderfer
 145 Jonot. D. Miller
 146 Laird Renner
 147 Johnathan Reedy
 148 William Hiser
 149 John Shindle
 150 John Hafer
 151 Ruben Cromly
 152 J. W. Cromly
 153 Solomon Swartzander
 154 Daniel Ettinger
 155 Isaac Miller
 156 Job Turner
 157 Isaac Ruth
 158 Jacob Neyhard
 159 Emanuel Noll
 160 Joseph Kahl
 161 Jas. W. Semington
 162 Amos Grove
 163 Simon Snyder
 164 John B. Smith
 165 John H. Mauck
 166 George Hiser
 167 Chambers Thopson
 168 William Simmington
 169 Joseph Harman
 170 John Glick
 171 Saml. Simmington
 172 George M. Slear

173 J. P. Biehl
 174 Wm. W. Snyder
 175 David Homler
 176 Abraham Hendrix
 177 John Sibert
 178 Joseph Sibert
 179 Lewis Gamberlin
 180 John C. Kerer
 181 John Miller
 182 William Young.
 183 Geo. W. Zeigler
 184 H. B. Keelly
 185 Philip Ort
 186 F. M. Whitman
 187 B. T. Pontius
 188 Jacob Duck
 189 Emanuel Pontius
 190 J. S. Miller
 191 Geo. Miller
 192 N. D. Mertz
 193 David Stahl
 194 Ellis Hembach
 195 Abraham Kaufman
 196 Joseph Dieffenderfer
 197 John Minium, sen.
 198 John Fox
 199 J. A. Featherolt
 200 H. B. Musina
 201 Wm. Kestetter
 202 Wm. Huffy
 203 Lewis Hendricks
 204 John W. Rehner
 205 Ruben Miller
 206 Wm. Kreak, sr.
 207 Daniel Muffly
 208 Jonathan Klingeman
 209 Peater Miller
 210 Solomon Mosk
 211 Emanuel Fox
 212 A. K. Dieffenderfer
 213 J. K. Rehner
 214 Daniel Rangler
 215 Daniel Gebhard
 216 George Lynch
 217 Jas. Simington
 218 J. F. Schrack
 219 Henry Rimert
 220 Abraham Troxel
 221 Peater Renner
 222 Sam. R. Glace
 223 Wm. Spotts
 224 M. J. Klechner
 225 Israel Ruhle
 226 Theodore Fangboner
 227 J. W. Irvin
 228 W. L. Irvin

- | | |
|--------------------------|------------------------|
| 229 Jackson Cornelius | 285 William Weingarden |
| 230 Wm. H. Decke | 286 Aaron Barber |
| 231 Aaron Stahl | 287 B. F. Renner |
| 232 Chas. Slear | 288 Henry Duke |
| 233 Wm. H. Smith | 289 Sam. Sour |
| 234 Geo. W. Himmelreich | 290 Josiah Walker |
| 235 Daniel Stout | 291 John Stolfuse |
| 236 Micle O. Connel | 292 Joseph Walker |
| 237 Wm. Swartzlander | 293 Abraham Guire |
| 238 J. K. Berkhamer | 294 Sam. Weise |
| 239 Chas. Gross | 295 Henry Walker |
| 240 Lott. Irvin | 296 Aaron Fetter |
| 241 Martin Dunkel | 297 Calvin Homel |
| 242 S. B. Cornelius | 298 William Mathers |
| 243 John D. Helrig | 299 Sam. McClellan |
| 244 Isriel Helrig | 300 Robert Arbogast |
| 245 David Beaver | 301 John Swartzlander |
| 246 M. Sloat | 302 Ulrich Strickler |
| 247 Jacob Crouse | 303 Noah Hummel |
| 248 Andrew Hauck | 304 Leonard S. Boyer |
| 249 George Shively | 305 Jacob S. Helrick |
| 250 Peater Renner | 306 John H. Catherman |
| 251 Clarence Hauck | 307 Henry Weaver |
| 252 Wm. Hendricks | 308 George Bush |
| 253 Emanuel Crouse | 309 John Joes |
| 254 J. W. Crouse | 310 Wm. Leiby |
| 255 George W. Deiffenfer | 311 Jas. Rigel |
| 256 Sam. Wolfe | 312 Jas. Biehl |
| 257 Jeremiah Reidenbuch | 313 A. E. Reedy |
| 258 Jacob Charles | 314 David Vonedia |
| 259 Thomas Hauck | 315 Johnson Shell |
| 260 Lewis Mayer | 316 W. F. Gluer |
| 261 Levi Miller | 317 J. L. Shadle |
| 262 Solomon Klose | 318 William Voneida |
| 263 Jacob E. Shrader | 319 John H. Shadle |
| 264 John H. Cammel | 320 John H. Neighart |
| 265 Chas. Heser | 321 George Noll |
| 266 J. A. Kelly | 322 Wilson Culp |
| 267 W. H. Rimert | 323 J. H. Stadden |
| 268 Emanuel Rudy | 324 Daniel Homler |
| 269 William Becker | 325 G. F. Miller |
| 270 Peater Stahl | 326 Howard Hemler |
| 271 Solomon Benner | 327 Morgan Knarr |
| 272 Aaron T. Nogel | 328 David Moyer |
| 273 P. F. Cromly | 329 Philip Miller |
| 274 Noah Ritter | 330 George Gluer |
| 275 Jas. P. Shrack | 331 John Wittis |
| 276 David Moyer | 332 George A. Miller |
| 277 Philip Stahl | 333 W. W. Bilger |
| 278 William Wolfe | 334 Laird Reedy |
| 279 Richard Struble | 335 Benj. Minium |
| 280 Sam. Hackenberg | 336 Wm. Stahl |
| 281 Jas. O. Hackenberg | 337 Chas. M. Fall |
| 282 John Hummel | 338 James Slear |
| 283 A. R. Meuch | 339 Reuben Treaster |
| 284 John Hey | 340 John Stout |

341 Aaron Miller
 342 John Minium, jr.
 343 H. C. Smith
 344 Jacob Daulerman
 345 Wm. M. Renner
 346 Chas. Webner
 347 Benjamin Detrich
 348 Franklin Frederick
 349 Ellis Miller
 350 Micle Arbogast
 351 Franklin McGee
 352 Lewis Turner
 353 George A. Turner
 354 Joshua Weiser
 355 Peater Bohr

356 Henry Balliet
 357 Jacob K. Fetzer
 358 Wm. H. Baker
 359 D. L. Ruhle
 360 Chas. Steninger
 361 Joseph Roudenbush
 362 D. H. Smucker
 363 Levie Arbogast
 364 John Reedy
 365 H. F. Sours
 366 Benjamin Fetter, jr.
 367 John Page
 368 Daniel Stahl
 369 Henry Rocky Baker

STATE OF PENNSYLVANIA,
County of Union, ss:

I hereby certify that the within and foregoing is a correct copy of the list of voters for the township of Buffalo, in said county, for the election held November 5, A. D. 1878, so full and entire as the same remain on file in this office.

In testimony whereof I have hereunto set my hand and seal of office at Lewisburg this 22d day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 21.

Registry list of voters of Gregg Township, Union County, Pennsylvania, for the year A. D. 1878.

Artman, David	Brown, Wm. B.	Else, James
Allen, H. P.	Brown, H. C.	Else, George
Arbuckel, Thomas	Bower, George	Else, Jonathan
Allen, Wm. P.	Bower, Charles	Else, George W.
Antis, William	Baker, Henry	Everett, William
Arbuckel, James	Brown, Charles	Everley, John
Brown, Robert	Bower, Abraham	Eisenhart, Thomas
Brown, John C.	Brown, Peter	Ellis, James
Bower, Jacob	Buss, Charles	Erbe,
Bower, John J.	Bower, Wilson	Else, John
Breon, Benjamin	Bets, Peter	Else, Wm. B.
Baker, Jacob	Campbell, Wm. F.	Else, James, jr.
Breon, John	Clapp, Adam	Ellwell, H. W.
Buss, John D.	Crisman, Israel	Foresman, Daniel
Buss, George W.	Caldwell, John	Fike, Joseph
Bower, Thompson	Campbell, A.	Farly, Wm.
Brown, Robert, jr.	Clark, Jacob	Fisher, Thomas L.
Breon, Daniel	Carlile, G. D.	Fisher, Daniel
Blee, Thomas	Carreher, Saml. S.	Fisher, Michael
Beck, Thomas	Caldwell, Samuel	Fisher, P. G.
Bricker, John	Donnalson, Fullmer	Foresman, Seth M.
Boal, James, Rev.	Daywald, Daniel	Follmer, John H.
Bergenstock, Wm. H.	Daugherty, John	Fisher, John H.
Bower, Jacob	Diehl, George	Foresman, Thomas C.
Beck, Wm. T.	Daywald, John	Foresman, J. B.

Foresman, William C.	Huth, Henry	Meek, J. T.
Fisher, Michael P.	Hagg, Frank	Neild, W. J.
Fisher, Michael A.	Hains, David	Norton, William
Fegley, E. F.	Houser, William	Oakes, John H.
Foust, Jacob	Houser, Thomas	Oakes, Wm. L.
Farley, Albert	Hafer, Charles	Oberdorf, Henry
Fisher, Charles	Houser, John	Oakes, Matthew H.
Fisher, Robert	Irvin, George	Oakes, Wm. G.
Fisher, H. D.	Irvin, J. C.	Oberdorf, Robert
Fox, Joseph	Jamison, A. B.	Pauline, Chas. W.
Fisher, Addis	Jamison, John	Piatt, John
Farley, Charles	Jamison, A. B., jr.	Reaser, Daniel
Foresman, Wm. H.	Jamison, John, jr.	Rothermel, Jacob
Foresman, Abner J.	Jamison, Daniel	Reaser, B. F.
Fisher, Jonathan	Jamison, William A.	Reaser, William
Follmer, John R.	Jerrett, Perry	Russell, Wm. B.
Follmer, Daniel G.	Johnson, D. R.	Russell, John
Fisher, Michael D.	Kind, Abraham	Sypher, A. S.
Fisher, Henry	Kelly, Philip	Shopbell, Peter
Fisher, John T.	King, Adam	Shireman, Samuel
Fisher, Collins	King, Stephen	Schooley, William
Fisher, Robert	King, William	Schooley, William, jr.
Fisher, Daniel, jr.	Koose, Thomas	Schooley, John
Fisher, M. J.	Kittler, Frank	Smith, John S.
Faust, Calvin	Lomison, Cornelius	Scott, Henry
Griffy, Benjamin	Ludwig, Peter	Schnell, Levi
Gudykunst, E. S.	Lynn, Charles	Schook, B.
Grant, Jeremiah	Mull, William H.	Scott, Amos
Groff, John	Moore, Joseph	Schook, Philip
Galloway, John	Moore, John B.	Schooley, Albert
Gudykunst, J. P.	Moore, George	Scheafer, Alfred
Glase, William	Moore, Wm. C.	Scott, Peter
Grant, Clarence	Meek, L. G.	Shopbell, Follmer
Haggenbuch, J. F.	McCarty, S. G.	Schook, David
Houts, Simon	Miller, John	Truckenmiller, W., Doct.
Heifner, Jonathan	McCarty, D. W.	Tate, John, esq.
Hezlett, Adam	Miles, J. G., Rev.	Trump, Daniel
Hamelton, Robert	Moyer, Charles	Thomas, Lewis
Hunter, H. D.	Metzgar, Wm., Dr.	Thomas, Follmer
Haines, Frederick	Miller, William	Troxell, J. H.
Hall, John, sr.	Miles, George	Tate, Benjamin
Hakes, C. M.	Misser, John	Tate, Robert
Hafer, Thomas	Miller, James	Tate, Charles
High, Henry	Meek, Robert	Vaneida
Hefner, Jacob	Meek, Wm. D.	Wetzell, Aaron
Huff, William	Miller, John, jr.	Watson, David
Huff, Charles	Miller, Charles	Wents, Herman
Hall, Henry J.	Miller, Daniel	Weikel, Cyrus
Houser, Daniel	Miller, George	Wright, Joseph
Hezlett, Jeremiah	Moyer, Jonas	Wetzell, C. S.
Hunter, Henry	McCartnes, Henry	Wentz, John
Hains, John	Moyer, George W.	

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full, true, and correct list of the voters of Gregg Township, in said county, for the year A. D. 1878,

as shown by the registry-list and 60-day assessment made by the assessor of said township and on file in the commissioners' office.

In testimony whereof I have hereunto set my hand and the seal of the commissioners' office of Union County at Lewisburg the 25th day of March, A. D. 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M. No. 22.

Registry list of voters of Hartley Township, Union County, Pennsylvania, for the year A. D. 1878.

Adams, Daniel	Barnett, Jacob	Feese, Andrew
Aley, David	Boyer, Joseph	Feese, William
Albright, James H.	Burkley, John	Frederick, Samuel
Aikey, Thomas	Boyer, Josiah	Frederick, Jacob
Aikey, Foster	Brause, Jackson	Frederick, John
Aumiller, George W.	Bingaman, Samuel	Fox, Daniel
Albright, H. D.	Boyer, Samuel	Fessendon, Philip
Albright, H. A.	Boob, Frank	Feese, George
Aikey, George	Bittler, William	Feese, Samuel
Adams, Samuel	Bingaman, Robert J.	Feese, Wm. H.
Bullhart, Hiram	Bingaman, Martin	Feese, Nathan
Boyer, William	Bingaman, Albright	Feese, William H., jr.
Brancher, Sam'l E.	Brisher, George	Fillman, Jacob F.
Bower, D. O.	Brame, John	Fried, Abraham
Boob, Adam	Church, Samuel	Fried, Theodore
Bartley, John	Charles, S. F.	Feese, William (son of
Boob, George	Cook, William	Robert)
Bowersox, Abraham	Church, John	Glover, James
Bingaman, Henry	Catherman, Simon	Glover, John
Boob, John F.	Catherman, George	Gilbert, Augustus
Boob, Lewis D.	Catherman, Joseph	Galer, John
Bingaman, Harrison	Catherman, Nathan	Galer, Zach. T.
Boob, Samuel G.	Crawford, Horace	Goodlander, J. L.
Bingman, Samuel H.	Church, John Y.	Galer, John W.
Bingman Jacob	Crist, William	Glover, Austin
Burd, Luke	Diehl, John J.	Grubb, Berry
Barnett, John	Dennis, John	Hoffman, John
Boob, Josiah	Deeter, Jacob	Hartman, Samuel
Barnett, Jonas	Dorman, Henry	Hartman, Henry
Boob, John H.	Dale, George	Harter, Samuel
Bohnstiel, William	Dorman, Samuel	Huff, John H.
Boob, Conrad	Dunlap, Wesley	Hunter, Frank
Burd, William	Dale, Albert	Horner, Daniel
Badger, Lewis	Derr, John	Heilman, Frederick
Boob, Jacob	Diehl, Caleb J.	Hironimus, William
Bartley, Wm. Henry	Dale, Lewis	Hironimus, Andrew
Boob, David	Dale, B. F.	Hartley, Joseph
Bresler, Henry	Duter, William	Haus, C. E.
Bingaman, Martin	Diehl, William	Hartman, Theodore
Bennett, Thomas	Emery, Charles P.	Hoffman, John, jr.
Bingaman, W. H.	Emery, Isaiah	Helbish, Ammon
Bingaman, Wm.	Evens, Charles	Hassenplug, Jesse
Boob, Simon W.	Fauver, Amos	Harter, Charles
Boob, Jacob, jr.	Feese, Jacob	Herran, Daniel

Hoofnagle, Mark
 Honsicker, Henry
 Hunsicker, Perry
 Hartman, John E.
 Harter, Howard
 Hickernell, Richard
 Hamelton, John
 Jordon, B. F.
 Jordon, Jefferson
 Johnson, William
 Johnson, Alison
 Johnson, Wm., jr.
 Johnson, David
 Kreisher, George W.
 Keister, John M.
 Keister, Thomas
 Keister, Levi
 Keister, Henry
 Keister, Phares
 Keister, Peter
 Keister, Emanuel
 Kerst, D. B.
 Knerr, Joshua
 Katherman, Peter
 Katherman, A. J.
 Kaler, Cornelius
 Kleckner, Peter
 Kleckner, Isaac
 Katherman, Daniel
 Katherman, Elias
 Kleckner, Henry
 Kaler, William
 King, Anthony
 Katherman, John F.
 Knight, Samuel H.
 Knerr, John
 Knight, John L.
 Keiser, Joseph
 King, George
 Katherman, Henry
 King, William
 King, Asalom
 Katherman, Hiram
 Kiester, Henry F.
 Kesler, William
 Kleckner, Simon
 Keister, Abraham
 King, Simon
 Keister, Frank
 Kaler, David
 King, Levi
 Knepp, John
 Lincoln, Rich. V. B.
 Latshaw, William
 Latshaw, Henry
 Long, Frank

Libby, Thomas
 Longbine, Christian
 Longer, John
 Lucas, Luth
 Long, D. H.
 Laird, S. H.
 Miller, Isaac
 Mercer, Levi
 Middelsworth, Jno. C.
 Mattis, David
 Miller, S. S.
 Marston, Alval
 McCurdy, Thomas
 McCurdy, F. W.
 Miller, Robert
 Musser, Adam
 Macky, John J.
 Mook, Daniel
 Marston, Chas. H.
 Miller, Robert S.
 Miller, Samuel C.
 Miller, Frank
 Miller, John H.
 Miller, Daniel
 Miller, Chas. W.
 Ocker, Benjamin
 Osborn, Samuel
 Omsteal, James
 Pross, James H.
 Pursley, William
 Pursley, James
 Pick, John
 Prinzenhoff, F. W.
 Paul, Charles
 Persley, Reed
 Perkins, C. B.
 Rokes, John
 Rudy, Benjamin
 Rote, Anthony
 Rote, Adam
 Rhoads, Jacob
 Rishel, Peter
 Ruhl, Samuel C.
 Rote, Samuel J.
 Rudy, Israel
 Rudy, Joseph
 Rudy, Abraham
 Rutherford, S. W.
 Robison, Edward
 Ross, Ned E.
 Reedy, Emanuel
 Styers, Jonah
 Schnure, Geo. W.
 Smith, John D.
 Smith, John B.
 Smith, John

Smith, Daniels
 Smith, Joseph R.
 Smith, H. E.
 Smith, S. S.
 Sheesley, Peter
 Sheesley, Jackson
 Stover, Daniel
 Schnure, Christian
 Showalter, John
 Showalter, Joshua
 Showalter, Cyrus
 Shirk, John
 Stitzer, Henry
 Shaffer, Lewis
 Strouse, Daniel
 Sheesley, George
 Sheesley, George W.
 Shirk, Abraham
 Sholter, John
 Stover, George W.
 Stover, Samuel B.
 Strickler, Benjamin
 Simpler, Charles A.
 Stover, Alexander
 Shirk, Samuel C.
 Schnure, William
 Showalter, W. H.
 Shirk, William
 Stover, Philip D.
 Smith, James
 Styers, John
 Schleifer, John R.
 Shoewalter, D. M.
 Sholter, B. F.
 Sholter, Henry
 Springer, Henry
 Styers, Jacob
 Smith, Samuel
 Smith, Daniel
 Schnure, O. P.
 Schnure, Mark
 Schnure, Samuel
 Stover, Jased
 Sholter, George
 Stover, John
 Showalter, Wm.
 Shell, John
 Schnure, Franklin
 Try, Benjamin
 Thomas, William
 Trutt, Noah
 Try, John
 Teichman, Charles
 Trutt, Elias
 Van-Atta, Henry
 Vanneida, Solomon

Van-Atta, Henry, jr.	Winterod, Philip	Weidensaul, William
Vannatta, Samuel	Weidensaul, Daniel	Wirt, William
Whitmer, Henry	Weikel, Wm.	Yeisley, Elias
Williams, Jesse	Weidensaul, J. W.	Zuern, Wm. H.
Weidensaul, Samuel	Wirth, Daniel K.	Zimmerman, Jesse
Walter, Abraham	Wirth, Jacob	Zimmerman, Joseph
Walter, Henry	Walter, Isaiah	

STATE OF PENNSYLVANIA,

Union County, ss:

I do hereby certify that the within is a full and correct list of the voters of the township of Hartley, in said county, for the year A. D. 1878, as shown by the registry list and sixty-day assessment made by the assessor of said township and on file in the commissioners' office.

In testimony whereof I have hereunto set my hand and seal of the commissioners' office of Union County, at Lewisburg, this 25th day of March, A. D. 1879.

[SEAL.]

PETER HURSH, *Clerk.*

EXHIBIT D. B. M. No. 23.

COMMONWEALTH OF PENNSYLVANIA, ss:

I, Isaac Keister, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

COMMONWEALTH OF PENNSYLVANIA, ss:

I, Joshua Knerr, being duly sworn, say: That I am a qualified voter of the election district composed of the township of Hartley, in said county, and that I know Isaac Keister, who claims the right to vote therein, and have known him for twenty years and upward; has resided in said election district in the house of Levi Keister.

Sworn and subscribed this 5 day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

UNION COUNTY, ss:

I do hereby certify that the within is a true and correct copy of the original affidavit of Isaac Keister, as filed with the election papers of Hartley Township, remaining on file in my office, of the election held November 5, 1878.

Witness my hand and seal of office, at Lewisburg, this 27th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 24.

COMMONWEALTH OF PENNSYLVANIA, ss:

I, David Galer, being duly sworn, say: That I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the

United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5th day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

COMMONWEALTH OF PENNSYLVANIA, ss :

I, John Galer, being duly sworn, say : That I am a qualified voter of the election district composed of the township of Hartley, in said county, and that I know David Galer, who claims the right to vote therein, and have known him for twenty-one years and upward ; has resided in said election district in the house of John Galer.

Sworn and subscribed this 5 day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

UNION COUNTY, ss :

I do hereby certify that the within is a true and correct copy of the original affidavit of David Galer, as filed with the election papers of Hartley Township, of the election held November 5, 1878, remaining on file in my office.

Witness my hand and seal of office, at Lewisburg, this 27th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 25.

COMMONWEALTH OF PENNSYLVANIA, ss :

I, Manasseh Aumiller, being duly sworn, say that I am a native-born citizen of the United States ; that I am at this date of the age of twenty-one and under twenty-two years ; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5 day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

COMMONWEALTH OF PENNSYLVANIA, ss :

I, J. W. Galer, being duly sworn, say that I am a qualified voter of the election district composed of the township of Hartley, in said county, and that I know Manasseh Aumiller, who claims the right to vote therein, and have known him for 10 years and upward ; has resided in said election district in his house.

Sworn and subscribed this 5 day of November, A. D. 1878, before me.

AUGUSTUS GILBERT.

UNION COUNTY, ss :

I do hereby certify that the within is a true and correct copy of the original affidavit of Mannassah Aumiller, as filed with the election papers of Hartley Township, of the election held November 5, 1878, remaining on file in my office.

Witness my hand and seal of office, at Lewisburg, this 27th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 26.

COMMONWEALTH OF PENNSYLVANIA, ss:

I, James B. Swartzlander, being duly sworn, say that I am a native-born citizen of the United States; that I am at this date of the age of twenty-one and under twenty-two years; that I have been a citizen of the United States one month, and have resided in the State of Pennsylvania for one year last past, and in this election district, where I now claim the right to vote, two months next preceding this election.

Sworn and subscribed this 5 day of November, A. D. 1878, before me.
CHARLES HENDRICKS, *Judge*.

COMMONWEALTH OF PENNSYLVANIA, ss:

I, W. W. Lindenmuth, being duly sworn, say that I am a qualified voter of the election district composed of the sixth election district in said county, and that I know ———, who claims the right to vote therein, and have known him for 4 years and upward; has resided in said election district, in the house of Mariah Swartzlander.

Sworn and subscribed this 5th day of Nov., A. D. 1878, before me.
CHARLES HENDRICKS, *Judge*.

UNION COUNTY, ss:

I do hereby certify that the within is a true and correct copy of the original affidavit of James B. Swartzlander, as filed with the election-papers of Buffalo Township, in said county, of the election held November 5th, 1878, remaining on file in my office.

Witness my hand and seal of office, at Lewisburg, this 28th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

EXHIBIT D. B. M. No. 27.

I, Abm. S. Sypher, do swear that I will, as judge, duly attended the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying out the same; that I will not give my consent that any vote or ticket shall be received from any person other than such as I firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; and that I will use my best endeavor to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote or others, and that I will make a true and perfect return of said election, and will, in all things, truly, impartially and faithfully perform my duty respecting the same, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ABM. S. SYPHER,
*Judge of the Election District composed of the ———
of the County of Union, Pa.*

Sworn and subscribed this the 5th day of November, 1878, before me.
W. A. JAMISON,
Minority Inspector.

We, Wm. Everett, W. A. Jamison, do swear that we will duly attend the ensuing election during the continuance thereof, as an in-

spector; and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be, according to the provisions of the constitution and the laws of this commonwealth, entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law; nor will I vexatiously delay or refuse to receive any vote from any person who I shall believe to be entitled to vote as aforesaid, but that I will in all things truly, impartially, and faithfully perform my duty therein, to the best of my judgment and abilities; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

WM. EVERETT,
W. A. JAMISON,

*Inspectors of the Election District composed of
the ——— of the County of Union, Pa.*

Sworn and subscribed this the 5 day of November, 1878, before me.

AB'M S. SYPHER, *Judge.*

We, ———, ———, do ——— that we will, as a clerk, impartially and truly write down the names of each elector who shall vote the ensuing election, which shall be given me in charge, and also the name of the township, ward, or district wherein such elector resides, and will record the number of his ballot on the list of voters opposite to his name, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and in all things truly and faithfully perform my duty respecting the same, to the best of my judgment and ability; that I am not directly or indirectly interested in any bet or wager on the result of this election; and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding.

ANNOTHNY ARMSTRONG,
J. P. GUDYKUNST,

*Clerks of the Election District composed of
the ——— of the County of Union, Pa.*

Sworn and subscribed this the 5 day of November, 1878, before me.

AB'M S. SYPHER, *Judge.*

UNION COUNTY, ss:

I do hereby certify that the within is a true and correct copy of the oaths taken by the board of election, or the election officers, of Gregg Township for the election held November 5, 1878, as filed with the election papers from Gregg Township, and remaining on file in my office.

Witness my hand and seal of office, at Lewisburg, this 28th day of March, A. D. 1879.

[SEAL.]

C. H. HASSENPLUG,
Prothonotary.

House documents

Bd.: [323.] 1879/80, Vol. 3 = Congress 46, Sess. 1

Washington, DC 1879

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